STATE OF NEVADA
DEPARTMENT OF CULTURAL AFFAIRS
Nevada State Historic Preservation Office
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KENNY C. GUINN
Governor

SCOTT K. SISCO
Interim Director

RONALD M. JAMES
State Historic Preservation Officer

May 26, 2006

Owen Billingsley
Field Manager
Surprise Field Office
Bureau of Land Management
602 Cressler St.
Cedarville, CA 96104

RE: Comments on the draft EIS and RMP for the Surprise Field Office

Dear Mr. Billingsley:

The Nevada SHPO has reviewed the draft and has the following comments to offer:

1-1 Issue Area 8 (page 1-10): *How should the public lands be managed to sustain the traditional practices and traditional cultural properties of Native American Cultures?* The specific concerns listed here include management of archaeological properties including inventories, impacts to archaeological sites from land uses and vandalism/looting. Not all archaeological sites are traditional cultural properties that should be categorized for traditional uses. Those not considered traditional cultural properties can be assigned to other cultural resource use allocation categories enumerated on page 2-10.

1-2 Chapter 2, Alternatives (page 2-5): Were archaeological organizations and advocate groups such as the Nevada Rock Art Foundation asked to contribute information on sites they would like to see designated as ACECs? The text mentions the California Wilderness Coalition having supported ACEC designation for several areas but the Nevada SHPO would like to know whether or not other Nevada based groups were asked to provide input.

1-3 Chapter 2, Management Common to all Alternatives (Page 2-10): You might consider adding a statement of support for the use of site stewards to monitor endangered cultural resources. The Nevada SHPO manages a program to coordinate with federal agencies. I know that the Surprise Field Office is located away from populated areas where site stewards might be drawn but if stewards can be found, it might help.

1-4 Also, because of our protocol, I suggest that a reference to coordinating on public education for Archaeological Awareness Week/Historic Preservation Month be included

1-4 in the text. Public education and awareness is needed if BLM plans to stem the tide of illegal collecting and vandalism.

1-5 Chapter 2, Alternatives (page 2-11): Will the BLM actively consult with Native Americans to determine the locations of harvesting/gathering areas prior to vegetation manipulation to improve ecosystems (see page 2-77 and 2-78)?

1-6 Chapter 2, Alternatives (page 2-11): There is a discussion regarding maintaining current cultural resource inventory data in geographic information system format. Might I suggest including a recommendation to share that data with CA and NV SHPOs? Data sharing is in keeping with the protocol BLM shares with the SHPO.

1-7 Chapter 2: Preferred Alternative (page 2-13): The Nevada SHPO strongly supports the designation of Massacre Bench and Bitner Ranch as ACECs (page 2-13). We do not know about North Hays Range cultural resources but support the establishment of the Duck Flat cultural resource management area. We also support the interpretation of the Bitner Ranch, Rock Creek and the Lassen-Applegate Trail.

1-8 Chapter 3, Factors Currently Affecting Cultural Resources (page 3-21): The draft RMP describes two factors altering the integrity of cultural resources, overgrazing and reduction of vegetation, and vandalism. The environmental consequences for the preferred alternative (page 4-17) suggest OHV use would continue to be unregulated and continue to disturb cultural resources. Second, the effects of grazing would continue and

1-9 livestock use potentially increase. Would it not be appropriate here or in Chapter 2, to reference conformance with the state protocol regarding identifying and treating

1-10 properties affected by grazing? And shouldn't BLM describe measures to be taken to curtail the illegal activities that pose such a threat to cultural resources? "Implementing regular law enforcement patrols as feasible..." (page 2-12) doesn't seem much of a commitment to improving the existing situation (please refer to our comment on management common to all alternatives).

If you have any questions regarding these comments please call me at 775-684-3444 or email me at ambaldri@clan.lib.nv.us.

Sincerely,

Alice M Baldrica

ALICE M. BALDRICA, Deputy
State Historic Preservation Officer
Cc: Ken Wilson, BLM, CSO
Tom Burke, BLM, NSO

"Joe Becker" <bjoe@ccxn.com>
06/07/2006 09:37 AM
Please respond to
"Joe Becker" <bjoe@ccxn.com>
To
<necarmp@ca.blm.gov>
cc

bcc

Subject
BLM Surprise Field Office Draft Resource Management Plan

Dear BLM Manager:
I have traveled to Surprise Valley area of California on various camping and hunting vacation during all seasons of the year. This country is the ultimate for sportspeople because it is sparsely populated and supports many species of wildlife, vegetation and birds. My wife and I are both California Hunter Education Instructor , plus very involved with archery hunting and organizations in our state. And are aware of the many changes our federal agencies continue to make in federally owned lands and their uses.

2-1 Thus we ask that you continue to keep our sportspeople both hunting & fishing in mind during your future changes to management plans. And as always the wildlife and habitat that supports life for each specie.

Thank you in advance for supporting outdoor recreation and management through hunting of our natural resources.
Sincerely & God Bless;

Joe & Joan Becker
733 Queens Ave.
Yuba City, CA. 95991
530-751-7767
bjoe@ccxn.com

July 26, 2006

Surprise RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Dear Planning Coordinator, or whomever else it may concern;

Friends of Nevada Wilderness is a membership organization based in Nevada. We have 1,200 members. Our organization and members are dedicated to ensure that future generations will enjoy, as we do today, the clean air and water, wildlife, beauty, and opportunities for recreation and renewal that pristine forests, rivers, deserts, and mountains in Nevada provide.

Please accept these comments from Friends of Nevada Wilderness regarding the Draft Resource Management Plans and Environmental Impact Statements for the Bureau of Land Management, Surprise and Eagle Lake Field Offices:

Lands and Realty

3-1 Friends of Nevada Wilderness appreciates and supports all points made in the following section of the Draft RMP for Eagle Lake District: (2.7.1, Goal 1, section 1.1, "Management Common to All Alternatives"). We urge the BLM to apply these comments to the Surprise District RMP as well.

Travel management proposals for Wilderness Study Areas in Eagle Lake and Surprise districts

The draft RMP for Surprise district states, "OHV use within the Massacre Rim, Sheldon Contiguous, South Warner Contiguous and Wall Canyon WSAs would be 'limited to designated routes.'"

Section 603 (c) of the *Federal Land Policy and Management Act* specifically states: "During the period of review of such areas and until Congress has determined otherwise, the Secretary shall continue to manage such lands according to his authority under this Act and other applicable law in a manner so as not to impair the suitability of such areas for preservation as wilderness…"

In addition, Chapter 1, section A, 1, of the *Interim Management Policy for Lands Under Wilderness Review* (H-8550-1) states: "The BLM's management policy is to continue resource uses on lands under wilderness review in a manner that maintains the area's suitability for preservation as wilderness."

Section B of the IMP underscores that "the preservation of wilderness values within a WSA is paramount and should be the primary consideration when evaluating any proposed action or use that may conflict with or be adverse to those wilderness values."

3-2 ↓ The encouragement or facilitation of vehicle use within wilderness study areas by designating routes would impair wilderness values by increasing erosion (which in turn

threatens water quality—a potentially significant threat to sensitive and potentially listed species, such as the Wall Canyon Sucker in Wall Canyon WSA), increasing the opportunity for the introduction of invasive plants, fragmenting wildlife habitat, impairing the perception of roadlessness, degrading solitude, and reducing opportunities for primitive and unconfined recreation.

It can hardly be argued that the designation of routes within a WSA enhances wilderness values or meets the definition of untrammeled (defined in the IMP as unconfined, unrestrained or unimpeded).

Over time, impacts from designated routes within WSAs could accumulate to a point at which the total impact would impair wilderness suitability either by creating impacts that overall are noticeable, or by degrading the area's wilderness values so far as to significantly constrain Congress's prerogative regarding the area's suitability for preservation as wilderness. The existence of designated routes in WSAs would surely create enough grassroots opposition to wilderness to scare away any Congressman or Senator who wants to be re-elected from considering wilderness designation for the WSA in question.

The IMP requires the BLM to analyze and monitor the cumulative impacts and take steps to control those impacts. If the BLM persists in this preferred alternative to designate routes within the WSA, how will the BLM analyze and monitor impacts, and take steps to control cumulative impacts? Where in the RMP will you guarantee that the proposed action does not impair wilderness values?

3-2

Section 2.13.10 of the draft RMP also states: "If Congress designates any of these WSAs as wilderness, internal routes would be obliterated." However, the impacts from the designation of routes within WSAs could accumulate to a point that impedes restoration. Furthermore, these designated routes will be shown on maps which would still be in circulation after the possible designation of some of the WSAs as Wilderness areas, creating confusion among users, ongoing impacts and increased wilderness management problems.

At the time of designation, wilderness study areas allowed motorized and mechanized vehicle use on existing routes and trails. This informal passage of vehicles does not constrain Congress from designating the area as wilderness, as long as the IMP's nonimpairment mandate is upheld. The BLM has a responsibility to maintain vehicular traffic at the level that existed at the time of designation. The formalization of ways and routes within WSAs by designating them confers on them a formal status they did not previously enjoy. The designation of routes within WSAs creates a non-wilderness designation within WSAs, which clearly violates FLPMA and the IMP. Such a designation of uses conflicts directly with the intent of the Wilderness Act, FLPMA, and the IMP, and it significantly constrains Congress's prerogative regarding the area's suitability for preservation as wilderness. The introduction of the IMP states clearly: "The secretary must protect the wilderness values of each WSA until Congress makes the final decision regardless of the suitable/nonsuitable recommendation made."

In addition, the proposed travel management decision—to designate routes within WSAs—conflicts with the RMP's stated objective for travel management: "OHV use would be managed with a focus toward protecting natural ecosystems." (2.14.9)

These comments and concerns apply, as well as the recommendations below, where applicable, to designated route proposals for the Eagle Lake district as well.

In sum, the designation of routes within WSAs is inconsistent with the intent of Congress, as declared by the Wilderness Act, by FLPMA and by the BLM's own management guidelines as stated in the IMP.

If designating routes in WSAs is proposed by the BLM in an effort to reduce vehicle impacts on wilderness values, or to gain greater ability to enforce travel restrictions within WSAs, we sympathize. However, for the reasons discussed above, we still think this is a bad idea. 3-2

Recommendations

Perhaps one of the following ideas would provide resolution to the challenge your proposed action ofr both Surprise and Eagle Lake creates:

1. Designate all WSAs as "closed, with the exception of existing routes and ways" – meaning routes that existed at the time the WSA was designated. The proposed alternative for Eagle Lake district comes close to this, by creating closed areas within primitive cores of WSAs. We urge the BLM to expand this closed status to all WSAs in both Eagle Lake and Surprise districts; or
2. Designate the routes you prefer to keep open to vehicle traffic as "temporary routes" to underscore the temporary nature of the routes and the designations. Currently, your proposal to designate routes in WSAs confers on them the same status as any other designated route in the district. Clearly, there should be a difference in status between routes within and outside of WSAs.

In either case, please do not call any vehicle travel routes in WSAs "roads", whether they are designated or not, because the BLM's own definition road implies a permanent, maintained and graded structure, which conflicts directly with the intent of the Wilderness Act, FLPMA and the IMP. Also, do not publish the routes or ways, designated or otherwise, on any map; including them on maps will encourage great vehicle visitation to the WSAs, and contrain Congress's prerogative regarding designation of the WSA as wilderness in the future, for all of the reasons discussed above.

However, if the BLM does not find these suggestions workable, then Friends of Nevada Wilderness strongly recommends that OHV travel remain restricted to existing routes and trails within all WSAs in the Surprise district, and that none of these routes be formally designated.

We also support the closure of routes identified on map TRAV-1 in red. We would like to thank the BLM for this recommended action, as it clearly enhances wilderness values within WSAs. It is also consistent with the IMP nonimpairment mandate and the intent of FLPMA in designating wilderness study areas. We urge the BLM to expand recommended closures to include all routes that were not in existence when the WSAs were designated. We request the BLM to provide proof, in the form of maps from the date of designation and/or aerial photos from the time of designation to support the BLM's decision. 3-3

As you may know, Friends of Nevada Wilderness has a growing wilderness restoration program, and we would be happy to work with the BLM to identify restoration projects based on these closures, recruit volunteers for the projects, and spend good days working with our partners in the BLM getting good work done and doing good for the wild. 3-4

Sincerely,

Brian Beffort
Associate Director
Friends of Nevada Wilderness

"Brasher, DeEllen M CIV, CNRSW" <deellen.brasher@navy.mil>
06/26/2006 09:42 AM
To
<necarmp@ca.blm.gov>
cc
"Brasher, DeEllen M CIV, CNRSW" <deellen.brasher@navy.mil>
bcc

Subject
Surprise Resource Management Plan Comments from Military

Surprise RMP Planning Coordinator:
On behalf of the Department of Defense activities that utilize the airspace that overlies the area covered by the Surprise RMPs, we offer military language for your consideration to insert into each BLM RMP either for the initial plan or as they come up for renewal. We are in the process of working this language with BLM in California, NV and AZ. We appreciate the opportunity to provide comments for your review. I understand I will need to provide comments for each individual plan and therefore, will submit this language under each project. Our military language is shown below. Please call me if you have questions regarding this language.

"BLM shall consult with the military and jointly analyze any impacts to the military mission including; Military Operating Areas (MOAs), Military Training Routes (MTRs), air space, coastal, and ground access, when making any land use decisions on BLM property at the earliest possible time to minimize impacts to current and future military mission uses. Examples of land uses that could impact the military mission include, but are not limited to, recommendations for wilderness designation, habitat improvement projects, environmental restoration projects, public utility development (e.g., erection of cell phone towers, electrical transmission lines, wind energy towers and solar array towers), large mining development, recreational development (e.g., campgrounds, visitor centers), and land exchanges for the purpose of facilitating the preceding land uses."

4-1

Regarding wind energy towers, this language is consistent with and supports language in the programmatic EIS for wind energy development completed by BLM last year, which states, “Incompatibility with military missions could be a basis for permit denial should there be no available mitigation options.”

Thanks,
DeEllen M. Brasher
Regional Environmental Coordinator Officer
Commander, Navy Region Southwest
33000 Nixie Way
FASW Bldg. 50; Rm 332
San Diego, CA 92147-5110
(619) 524-6263
Provide comments for Environmental Services at:
<
https://ice.disa.mil/index.cfm?fa=card&site_id=720&service_provider_id=100
3
60>

Double Horseshoe Ranch

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July 25, 2006

Owen Billingsley, Field Manager
Surprise Field Office
P.O. Box 460
Bureau of Land Management
Cedarville, CA 96104

RE: Cedarville Resource Management Plan (RMP)
10 Year Decision Plan

Dear Owen:

It was good seeing you the other day and thanks for dropping Ken's e-mail in my P.O. Box; I appreciate it.

I'm writing in regard to the comment period for the above referenced Cedarville RMP, 10 Year Decision Plan. I've reviewed portions of it relative to my operation and would like to request the following:

Nut Mountain Allotment Number 01010

5-1 1. All roads with current access (ingress and egress) relative to Nut Mountain Allotment to remain open and unrestricted in this new 10 year plan.

5-2 2. All my current private property access (ingress and egress) to remain open and unrestricted, as now stands, in this 10 year plan.

5-3 3. That all my Suspended Animal Unit Months (AUMs) relative to Nut Mountain Allotment be maintained as is, i.e., suspended in status or reinstated with proper review.

5-4 4. That the range improvements status on this allotment remain as is, that is, owned and maintained by me until paid off by Grazing Fee Credits which will take several years.

5-5 5. That the Bitner (WSA) Wilderness Study area within the Nut Mountain Allotment and surrounding and bordering Massacre Lake (north side of SR 8A and near my Coyote Camp private property) be dropped or maintained as is (WSA) and not converted to a Wilderness area.

In Secretary of Interior Luhan's 1991 review of this and other WSAs, he officially determined and stated that this (Bitner WSA and others) did not qualify for a wilderness status and should be dropped!

6. Real Estate Exchange

I'm still willing to consider an exchange of my deeded properties north of SR 8A within the Nut Mountain Allotment for BLM land described below. Specifically, my deeded properties could include those lands surrounding Massacre Lake, Evans Creek properties and other private lands located in the north pasture of Nut Mountain Allotment. 5-6

Your BLM maps have and still reflect a desire by BLM to acquire all private lands within this specific area.

BLM Lands I would consider Exchanging for

Sand Creek Allotment area (southeastern portion)

BLM lands located between (north and east) my 49 Camp and my upper private lands, now AKA Metzker Peak area. Your BLM maps show that BLM would like to sell or trade these lands for private lands elsewhere.

I would also consider some BLM land bordering Coyote Camp.

It seems that we should be able to get together on this potential exchange as it is something we both want.

Sand Creek Allotment

1. All roads with current access (ingress and egress) relative to Sand Creek Allotment to remain open and unrestricted in the new Cedarville 10 Year Decision Plan. 5-7

2. All my current private property access (ingress and egress) to remain open and unrestricted as they now are, in this new 10 year plan. 5-8

3. That all my suspended (AUMs) animal unit months relative to Sand Creek Allotment be maintained as is, i.e., suspended in status or reinstated with proper review. 5-9

4. That the range improvement status on this Sand Creek Allotment remain as is. 5-10

5. Real Estate Exchange

Same comments as item #6 under Nut Mountain Allotment, i.e., I would be willing to exchange some of my private lands located near Massacre Lake and Evans Creek for BLM lands adjacent to my 49 Camp and Upper (Metzker Peak) county which is a small portion of this Sand Creek Allotment; BLM has already earmarked this area for sale or exchange purposes. 5-6

Please include this letter in your comment file for the new Cedarville 10 Year Decision Plan.

Thank you for your attention to this matter.

Sincerely,

Stuart L. Brown

65 S. ROOP STREET * SUSANVILLE, CA * 96130
(530) 257-4174 * FAX (530) 257-2558

July 26, 2006

Bureau of Land Management
Attn: Planning Coordinator
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

RE: Comments by Lassen Municipal Utility District to the Eagle Lake, Alturas and Surprise Valley BLM Field Offices Resource Management Plans and Environmental Impact Statements (DRMP)

The Lassen Municipal Utility District ("LMUD") would like to thank the respective BLM Field Offices for all of the hard work their staffs' have put in over the last several years in memorializing their respective draft Resource Management Plans and Environmental Impact Statements. These Plans were circulated for public review and comment in April, 2006, with such comments being accepted until July 27, 2006. Comments for all three Plans were to be directed to the Eagle Lake Field Office.

LMUD is a municipal utility district formed under the Municipal Utility District Act of 1921 (California PUC §11500 et. seq.). LMUD's service territory includes over 1,400 square miles of Lassen County bordering the State of Nevada to the east, Shasta and Tehama Counties to the west, and Plumas County to the south. The far southern portion of Lassen County is served by Plumas-Sierra Rural Electric Cooperative ("PSREC"), a rural electric cooperative formed under the Rural Electrification Act of the early 20th Century. The northern one-third of Lassen County is either open area (i.e., no CPUC, CPCN nor LAFCO boundary), or is served by Surprise Valley Electric Corporation (another rural electric cooperative), Pacific Power and Light, and/or PG&E. PG&E serves west of Lassen.

LMUD's service territory includes Lassen's County seat (the City of Susanville), the town of Westwood, Walker Lake (aka Mountain Meadow Reservoir), Eagle Lake, and the majority of Honey Lake. Within LMUD's service territory is approximately 35MW of geothermal and co-generation energy produced by three independent power producers. Their energy is wheeled westward to PG&E by LMUD. Within, and immediately adjacent to LMUD's service territory are potentially rich, high-quality renewable resources, particularly wind and geothermal. Such sites continue north into Modoc County, as well as east, deep into the northwestern part of Nevada.

Staff from LMUD, accompanied by staff from the Transmission Agency of Northern California ("TANC"), attended your public meeting regarding the DRMP's held on Thursday, May 30, at the Eagle Lake Field Office.

The DRMP process began prior to the adoption of California's Energy Action Plan II and its sub-parts, as well as the Energy Policy Act of 2005, passed by Congress last year. As such, the DRMP drafting teams, at such stage of the DRMP development, did not have the time to take into account the evolving national and state policies and goals expressed in these or related actions. However, with that said, at the meeting on May 30, LMUD staff, TANC staff, members of the Lassen County Board of Supervisors, and other Lassen County Community Development staff, met with Field Office personnel from all three Field Offices, including the Alturas and Surprise Valley Field Office managers, in a breakout session to discuss and gain knowledge regarding the current western United States ("Westwide") energy generation and transmission issues and constraints. The Energy Title of the 2005 Energy Policy Act, which directs the Federal Energy and Resource Agencies to immediately plan for, and site, Westwide energy corridors, was prominently discussed, as well as the California policies, goals and mandates.

This breakout session was very informative for all involved. It was learned by those of us in the energy business that we cannot take for granted the esoteric issues we deal with on a daily basis. In fact, any of us would be overstating our own knowledge if we claimed to fully understand the entire picture. Most importantly for the DRMP process, we learned that our energy world was not fully understood by BLM, nor other entities and agencies which are not in the energy business; specifically, that the esoteric power transfer capabilities of the existing Westwide system, as currently configured, is incapable of being used to resolve the existing congestion, lack of transmission, and lack of generation issues. Rather, we learned that it had been assumed by BLM that building more lines within existing right-of-ways would solve these Westwide problems.

We discussed why the so-called existing "donut-of-power" (which, in essence, is a circle of high-voltage and extra high-voltage transmission lines and related facilities running from Alberta, Canada, through BC, Canada, down through Washington, Oregon and California, coming around to Nevada, Arizona, New Mexico, then up to Utah, Colorado, Wyoming, Idaho and back up to Canada) was insufficient to deliver any new power, no matter where, or how, generated (renewable or otherwise), from the generation sources to the load centers. We discussed that compliance with both Section 368(d) of the 2005 Energy Policy Act, as well as the sundry California Energy Policies, requires the construction of east-west high-voltage lines, to bisect the donut, and such lines need to enter California in the south state, as well as the north, which brings us to the RMP's.

The northern east-west lines are necessary to facilitate the capture of the high quality renewable generation which exists in northeastern California and northwestern Nevada, as well as similar sources further east in Utah, Idaho and Wyoming. Included are the clean fossil fuel sources located to the east. Indeed, both Congress and the State have identified that, (1) energy conservation, (2) development of renewable energy sources, and (3) new and clean fossil fuel generation are needed to augment supplies and to replace older, not-so-clean, existing fossil generation facilities. This is referred to as the California Loading Order. Underlying these three points of the California Loading Order is the recognition that the Westwide transmission system needs to be upgraded with new energy transmission corridors to tap into the renewable resources and the clean fossil resources which exist in the middle and eastern portions of the "donut", and "wheel" such energy straight west into the California load centers.

Without burdening the record further with redundant comments, LMUD would like to refer you to the three comments submitted respectively to each Field Office by TANC, which more fully discusses your specific DRMP language, and the power constraint issues. LMUD strongly concurs, and incorporates, such comments herein.

LMUD would especially like to commend the Eagle Lake Field Office for addressing energy corridor concerns for renewable energy while, at the same time, making sure that environmental concerns are balanced. LMUD would also like to thank the Alturas and Surprise Valley Field Offices for their recognition that new transmission is needed (albeit their respective DRMP's improperly assumed that the existing corridors will suffice) while balancing such need with valid environmental concerns. The fact of the matter, as stated by TANC, is that both concerns deserve significant consideration, but both concerns must be addressed and the needs met. A couple of TANC's points warrant reiteration:

1. The use of any existing north-south high-voltage energy lines or corridors will not address the needs, nor the policies, referred to above. The problem, as TANC states, is the transfer capability at the group of "interties" comprising what is known as the California-Oregon Intertie ("COI") located near the California-Oregon Border ("COB"). Under current Western Electric Coordinating Council and National Electric Reliability Council rules and authorizations, only 5,100MW of energy can be transferred under the best circumstances. (This transfer capability is currently being temporarily downgraded due to transmission issues in the Bay Area.) Therefore, the development of the above mentioned renewable and new fossil fuel energy in the middle of the "donut-of-power", which BLM assumes can be wheeled north for transfer back down south into California, is not feasible. Besides doubling the distance and utilizing twice the acreage of direct east-west lines, the costs of upgrading the facilities at COI (if possible), would be astronomical. Significant line losses would occur through this circuitous route and, as mentioned, new, very expensive corridors and high-voltage power lines would need to be constructed from COB south in the same manner that TANC explained construction of the COTP. TANC's reference to an east-west corridor north of Lassen National Park and it's references to existing studies, are accurate and feasible. Further, a study was prepared by the Western Utility Group in 1992, entitled the "Western Regional Corridor Study", showing a proposed environmentally conscious east-west corridor across the southern part of the Alturas Field Office jurisdictional area, which should be reviewed as a potential route. The same is true of similar vintage studies done by the Sierra Nevada Region of the Department of Energy's Western Area Power Administration.

6-1

2. Further, although no official action has been taken, Lassen County's Community Development Department has, while being very conscious of environmental concerns, including viewshed and species, identified potential routes north of Eagle Lake that would appear to facilitate a significant segment of this line from the Nevada border eastward to the Lassen/Shasta County border. Extending the line further west would take it to existing east-west corridors that begin at, or near, the Lassen/Shasta County border to existing interconnection hubs such as Round Mountain or Table Mountain, or any new hub that might be developed to accommodate the new transmission. Projecting the line east from the Lassen County/State of Nevada border bisects the heart, as it does in northeastern California, of the rich renewable energy sites, provides for various interconnections with existing Nevada transmission lines (which run principally north-south through the State of Nevada), and then onward to the eastern portion of the Westwide states.

6-2

3. As mentioned in TANC's comments, LMUD has adopted a policy by resolution creating the "Lassen Energy Zone" to facilitate the development and transmission of"green and clean energy".

6-3

6-3

This concept, it is hoped, will be embraced by other regional entities to capture the potential clean and green energy sources within the eastern edges, and the heart of, the "donut-of-power", allowing such energy to be transmitted directly west to the Load Centers in California via the east-west routes previously discussed.

6-4

4. Although only in the formative stages, Lassen County and LMUD are jointly working to implement LMUD's "Lassen Energy Zone" through an upgrade of the Energy Element of Lassen County's General Plan. The intent of the upgrade is to embrace and comply with the new energy transmission and generation policies recently adopted by the State of California and Congress.

6-5

5. Using Section 2.21.1 (pages 2-164 and 165) of the Eagle Lake Field Offices DRMP as a representative example (wherein development of large wind energy farms, high-voltage power lines, and major utility corridors are discussed) LMUD agrees that the provisions of the National Environmental Policy Act (as augmented by the Energy Policy Act of 2005) would need to be followed. As stated by TANC, the viewshed, species and other environmental concerns, must be weighed and balanced with the practical, economic and energy needs for such east-west transmission corridors and, while it is conceded that the compatibility of the two will present many challenges, the effort will result in the balance of the development of this essential energy infrastructure with the environment. Both must be accommodated and accomplished in order to meet national and state needs and policies.

We would very much appreciate, as also requested by Lassen County, a timely receipt of your draft Final RMP prior to its publication. This will allow LMUD to provide final comments prior to such publication.

Thank you again for allowing LMUD to provide these comments. If you have any further questions, need clarification, or need additional information, please do not hesitate to contact me at (530) 257-6882.

Yours very truly,

Frank D. Cady
General Manager

Cc: LMUD Board of Directors
Lassen County Board of Supervisors
John Ketelsen, Lassen County CAO
Robert Sorvaag, Lassen County Comm. Dev. Dept. Director
Jim Feider, TANC
Isaac Moore, PG&E
Stewart Ramsay, PG&E
Steve Metague, PG&E
Chuck Najarian, CEC
Jim Bartridge, CEC
Joe Desmond, CA Resource Agency
Hon. John Doolittle
Hon. Dave Cox
Hon. Rick Keene
Don Battles

Eagle Lake, Alturas
& Surprise RMP Comments
Attn: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Dr.
Susanville, CA 96130

Karen Coulter, Director
League Of Wilderness Defenders
Blue Mountains Biodiversity Project
27803 Williams Lane
Fossil, Oregon 97830
(541) 468-2028 Office
(541) 385-9167 Voice mail

July 27th, 2006

We have combined our comments on the Draft Resource Management Plans for the Eagle Lake, Alturas, and Surprise management areas because our comments largely pertain to all three plans.

7-1 In general, we support Alternative 2, emphasizing ecosystem restoration over other concerns but, feel that Alternative 2 is still not protective enough of wildlife habitat, soil, and water quality, wild horse herds and other natural values. Our comments below indicate areas where Alt 2 could be strengthened.

7-2 We strongly support all of the proposed Areas of Critical Environmental Concern (ACECs). We also support full protection of wilderness values in all Wilderness Study Areas (including no juniper manipulation, no herbicide use, no motorized use, no structures, etc.) and ask that all additional roadless areas close to or greater than 1,00

7-3 acres also be fully protected for wilderness values and only be used for wildlife and primitive recreation.

7-4 The Eagle Lake RMP should recommend more creeks as suitable for Wild and Scenic River designation, including Susan River, Willow Creek and Buffalo Creek. We are also concerned that there is a blurring of "semi-primitive motorized" with "semi-

7-5 primitive non-motorized" designations as "back country." Motorized and non-motorized use areas must be clearly distinguished and the latter enforced.

7-6 In general, the protection of streams and riparian areas should be prioritized to protect biodiversity. This includes no chemical use near water, excluding livestock or cancelling allotments if there is riparian or water quality degradation from livestock use, decommissioning roads near streams, etc. Roadless area protection from road incursions

7-7 should also be emphasized. All rare and federally or state-listed plant and animal species

7-8 should be fully protected. Native species should always be given preference over non-

7-9 natives.

7-10 Suitable and potential Sage-Grouse habitat should be fully protected from fragmentation and disturbance, including from mineral leasing activities, herbicide use, sagebrush removal, roading and high power lines, as well as OHV traffic, which should be confined to designated routes only in all three planning areas. All livestock allotments currently

7-11 not in use should be permanently cancelled. Any allotments that are vacated for over a year should also be permanently cancelled. Livestock should be excluded from all

7-12 sensitive riparian areas either by fencing or by allotment cancellation.

7-13 Fire management should be with the goal of returning to a natural fire regime, meaning that too much fire suppression should be avoided. Aggressive fire suppression should only occur within or near wildland-urban interface zones. The use of fire retardant chemicals and new fuel break clearing should be avoided as much as possible.

7-14 Juniper reduction should leave junipers with old growth characteristics and leave patches of
7-15 juniper for wildlife use in removal areas. Any other tree removal should focus on the smallest trees as the most flammable fine fuels and leave all mature and old growth trees.

7-16 There should be no logging in roadless areas.

7-17 There should be far less mineral extraction/leasing allowed and more acres of "No Surface Occupancy" restrictions.

7-18 Wild horse herds should be maintained at a minimum of 50 head to ensure genetic diversity.
7-19 There should be no fertility control beyond adoption of excess horses. Adoption procedures should be carefully monitored to ensure BLM employees/friends/family are not buying them all and allowing them to be slaughtered (as happened in the Burns area) and that none of them are slaughtered or mistreated, in accordance with the Wild Horse and Burro Protection
7-20 Act. We support Alt 2's livestock rest/rotation system. Why was "Oregon Spotted Frog"
7-21 deleted from consideration (p. 2-233, Eagle Lake). We oppose non-essential rock removal
7-22 (such as decorative rock) and ask that fewer acres are left open to sand, cinder, & gravel extraction.

7-23 We support Alt. 2 road closures-or more. All non-essential roads should be decommissioned
7-24 if possible. Wildlife needs and natural hydrologic functioning should be prioritized over reservoirs, livestock ponds and other water diversions.

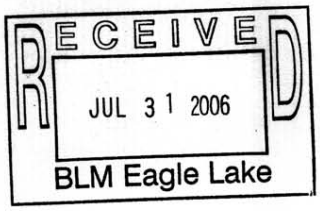
7-25 RE: herbicide use: Toxic chemical use should be scheduled for reduction to zero over time. Eg. Use half as much as now in ten years, half as much as at 6 years in 20 years, etc. Only use herbicides as a last resort and then use only normal (not maximum) application rates of the most ecologically benign herbicide available that would be effective. Don't use 2, 4-D, Dicamba, Picloram, Diuron, Diquat or other most toxic ingredients and formulas. Don't use acetolactate synthase – inhibiting herbicides, including chlorsulfuron, imazapyr, metsulfuran methyl and sulfometuron methyl as these are extremely potent herbicides that can stop seed germination of desirable plants and crops. Don't use aerial or boom spraying of herbicides or spray herbicides on or near water as these methods result in impacts to non-target plants and wildlife, as well as to soils. Use only spot application of Triclopyr. In general, prioritize prevention of invasive plants (see Region 6 Forest Service new Invasive Plant Management Plan for an example of a fairly thorough prevention program, though it could use improvement). Don't use toxic pesticides, lethal gas, napalm equivalents, strychnine bait, etc. Stop using federal animal damage control (APHIS). Make sure any biocontrols have been fully tested against representative native plants.

Thank you for consideration of our comments and please send us your record of decision.

MODOC COUNTY FARM BUREAU

108 EAST 1ST STREET · P.O. BOX 1692. ALTURAS. CA 96101
TELEPHONE (530) 233-FARM (-3276) · FAX (530) 233-4738

27 July 2006



Surprise RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville CA 96130

RE: Surprise RMP Comments

Dear Planning Coordinator:

The Modoc County Farm Bureau (MCFB) represents approximately 400 member families in Northeast California. Many of our members graze livestock, cut firewood, recreate or participate in other activities on lands managed by the Alturas Field Office. I have represented MCFB beef producers on the California Farm Bureau Federation Beef Advisory Committee for the past 25 years, including four years on the American Farm Bureau Federation Beef Advisory Committee. In that capacity I submit the following comments on the Surprise Field Office's Draft Resource Management Plan and Environmental Impact Statement (RMP).

8-1 The RMP should be easy to use. I suggest you include a detailed table of contents for each chapter, especially chapter 2, 3, and 4. The table of contents should include all subsections. To the lay reader it is sometimes difficult to figure out where a certain item
8-2 is in the document just using the broad section titles. I also suggest that you include on all maps and summary tables the page number that references the applicable text.

8-3 The RMP includes the designation of numerous special areas, most that will require fencing to provide an additional level of protection from livestock, off highway vehicles and other perceived threats. While not commenting specifically on the appropriateness of the designations, we are concerned about the significant increase in necessary fence maintenance. Grazers should not be assigned this additional workload. I encourage, concurrently with the designation decision, the development of a maintenance strategy that might use inmates, fire crews or some other labor source to keep these fences in repair.

8-4 I suggest you consider the formation of a regional, rather than a local seed bank. This will increase the likelihood that enough native seed is available to replant burned areas. I
8-5 urge the development of pre-fire agreements that allow for the use of certain non-native seed if the native seed supply is not adequate so the ground does not stay bare.

8-6 I find the Historical Setting paragraph to be inaccurate. To start with grazing has been occurring on the Surprise Valley landscape for almost 150 years. In addition the history is incomplete and portrays an unnecessarily derogatory image of grazing by being historically select in it's reporting.

8-7 I would like to see a strong commitment in the grazing Preferred Alternative for grass banking. With your proposed increase in prescribed fire use, the need to rehabilitate seedings and significant additional juniper treatments, there will always be a need for significant numbers of livestock to be off the allotments for the necessary rest period. It is a given that there is no unused private forage in the Surprise Field Office area. Consequently grazers will be forced to outbid existing leasees for local grass or truck their livestock out of the area. Both of these options would be a financial burden that could, in some part, be addressed with a grass bank, whether it was entirely on federal ground or some combination of federal and private land. Smaller ranching operations, those that run the majority of their livestock on one allotment, would be especially hard hit without this sort of mitigation. Providing mitigation, such as grass banks, for these range improvements/required rest projects will greatly increase support for these treatments from the grazing community.

8-8 I also encourage language in the RMP that includes consideration of using reacquired permits, whether voluntary or otherwise, for grass banks.

8-9 I participated in the Modoc County Elk Working Group as it developed the "The Greater Modoc Area- A Strategic Plan for Elk Management" (2000). It discusses a method for analyzing the impacts to grazing when federal forage supply is changed. It was utilized instead of IMPLAN during the socio-economic analysis of grazing during the development of the Warner Mountain Range Project. It addresses those issues that are important in Northeast California and Northwest Nevada that IMPLAN does not calculate. Issues like all available private forage is already being utilized and that there is not a direct linear calculation between lost AUMs and herd number adjustments. I urge you to consider its use to provide a more accurate assessment of the impacts of the portrayed alternatives.

8-10 I encourage you to correctly analyze Alternative 2's grazing component. The reduction in grazing will be far closer to no grazing at all than the portrayed two-thirds reduction.

On behalf of Modoc County Farm Bureau's beef producers, I appreciate the opportunity to submit these comments.

Sincerely,

Bean Curtis
Beef Advisory Committee Representative
PO Box 1692
Alturas CA 96101

EASTON

July 11, 2006

Surprise RMP Comments
Attn: Planning Coordinator
Bureau of Land management
2950 Riverside Drive
Susanville, CA 96130

Dear Sir:

Sportsmen and hunters contribute over $200 million per year in excise taxes to help the State agencies develop habitat and improve the hunting and fishing opportunities for everyone. Coordinating the BLM and USF&WS efforts to utilize these funds to improve habitat and wildlife populations must be a first priority of the Resource Management Plan.

As a dedicated sportsman and outdoorsman, I want to add my support to the proposed Wildlife and Fisheries alternatives that are proposed as part of the Preferred Alternative for the Surprise District.

9-1

- Design and location of livestock water sources that also support wildlife.
- Vegetation buffers for wildlife at water sources.
- Limited operating periods to reduce disturbances to wildlife.
- Acquiring lands that contain important habitat for wildlife.
- Treatment to remove invasive juniper and other non-native plants from wildlife habitats.
- Coordinating Bighorn augmentation and reintroduction efforts with State game agencies.
- Implement Rocky Mountain elk management plans that include hunting as a management principal.
- Coordinate with State game agencies to maintain and construct water guzzlers to support wildlife.

Sportsmen and hunters are committed conservationists, with a goal to sustain strong wildlife populations and improve habitat that will allow wildlife to flourish for the enjoyment of future generations.

Thank you for your efforts to support these goals.

Sincerely,

James L. Easton
Chairman & CEO

JAS. D. EASTON, INC. • 7855 HASKELL AVENUE, SUITE 202 • VAN NUYS, CA 91406-1902 U.S.A • (818) 782-6445 • FAX (818) 994-3889
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Pacific Gas and Electric Company

Eric Eisenman
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ISO Relations & FERC Policy

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July 27, 2006

Alturas, Eagle Lake, and Surprise RMP Comments
Attn: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Re: Alturas, Eagle Lake, and Surprise Field Offices Draft Resource Management Plans and Environmental Impact Statements

Dear Planning Coordinator,

Pacific Gas and Electric Company (PG&E) appreciates the opportunity to provide the U.S. Bureau of Land Management (BLM) with these comments to the BLM Alturas, Eagle Lake, and Surprise Field Offices' Draft Resource Management Plans and Environmental Impact Statements (DRMP/EIS), as published in February 2006. PG&E believes that careful consideration and coordination at the field office level with other efforts to implement relevant sections of the Energy Policy Act (EPAct) of 2005 is crucial to facilitate the growing energy needs of the U.S., including increasing demand, the related need for a more reliable bulk power system, and the desire to increase energy independence through environmentally-friendly renewable energy.

To this end, PG&E has participated in various public forums, including the scoping process for the West-wide Energy Corridor Programmatic EIS process, as required by Section 368 of the EPAct of 2005 and in which BLM is a cooperating agency as the designated agency for the Department of the Interior (DOI). Upon conclusion of the West-wide Energy Corridor Programmatic EIS, Section 368 of the EPAct of 2005 specifies that the coordinating agencies will designate appropriate energy corridors on federal lands in 11 Western States, perform any environmental reviews required to complete corridor designation, and incorporate designated corridors into relevant agency land use plans. On July 10, 2006, PG&E submitted its most recent comments in this process to the federal project team. As a highly relevant proceeding, those comments have been attached with an accompanying map as Attachments 1 and 2 for BLM's ease-of-reference.

Though PG&E has attempted to identify the appropriate corridors in the West-wide Energy Corridor proceeding, PG&E's comments are based upon the understanding that the future development or upgrades of energy pipelines and transmission and distribution facilities will

be fairly considered for federal permits and environmental reviews, whether or not the locations for such facilities are situated within a designated corridor. It is impossible to determine the needs and most appropriate locations for all potential energy facilities. Siting such facilities is a fluid process, dependent upon external factors including the location of generation, geography, climate, environmental, and historical concerns. For example, California, like many areas of the country, is seeking to enhance its use of renewable generation resources to meet environmental objectives and diversify its resource portfolio. The sites for such renewable resources are potentially remote from load centers and would require expansion of the electric transmission system in order to develop. However, since in many cases such sites have yet to develop, the transmission need does not yet appear in congestion studies. As other generation sites and transmission needs evolve, the process for the designation of such energy corridors and/or permitting of such transmission lines needs to be flexible so that it can be updated as system needs change.

10-1 It will be a challenge to access the renewable resources in these areas as it is. Therefore, BLM should consider preserving potential corridors to meet these goals. BLM's preferred approach to "expand existing transmission line and pipeline project width up to a maximum total of 250' off of the centerline, and designate existing lines as utility corridors" would not help to bring renewable resources in these areas to other areas in Northern California. Under BLM's preferred alternative for Wilderness Study Areas (WSAs), land area from Britterbrush down to Skedaddle (just north of Honey Lake) would close off a large section of land that could provide crucial access to generation development. The major transmission lines in the area would connect the potential resource area to Oregon and Nevada. Even if these transmission lines are in the limited designated transmission corridors, renewable resources would have to first travel to Oregon and then head south into California across the California-Oregon Interconnection, or to Nevada and then head west over the Sierra Pacific Power-PG&E tie, adding to the already congested ties. Such an arrangement would require reinforcing the Bonneville Power Authority, Sierra Pacific Power, and PG&E systems and thus add significant transmission costs to the renewable projects, further lessening the benefits of the potential renewable resources to serve the northern California market. Introducing disincentive to renewable resource development would also impact the long-term environmental health of California.

Flexibility in allowing transmission siting is needed to assure development of renewable resources. In the West-wide Energy Corridor process, PG&E identified at least one general corridor with potential to access renewable resources, that comes in from the Oregon border around Goose Lake and continues on down to Chico (please reference map). While it seems that the distance between the Lava WSA and Pit River Canyon WSA is sufficient to accommodate such a corridor, the maps are not detailed enough to provide clarity.

10-2 In some instances, BLM could effectively balance environmental concerns with needs for reliable, renewable energy by carefully reconsidering its parameters. Based on our experiences in routing and siting for linear facilities of this nature, PG&E believes that corridor widths could be increased to a minimum of one mile to allow adequate room for avoidance of sensitive resources and to maintain sufficient separation of facilities within the corridor so as not to compromise safety, reliability and national security concerns. PG&E

would support the use of this standard until such time that a more effective width is identified.

BLM's preference to consolidate transmission right-of-ways (ROWs) does not give consideration to ROW separation for system reliability purposes. For example, BLM's Alturas land use plan states, "[b]y consolidating compatible transportation and utility projects to existing corridors, the agency can reduce habitat loss, degradation of resources, and fragmentation of public land ownership patterns. However, this can increase costs and disutility to a ROW grantee if this approach results in a longer or more expensive project. Consolidation of ROW grantees at existing communication sites can cause user conflicts and electronic interference." However, there is no mention of the increased probability of simultaneous loss of multiple transmission circuits in the same ROW and the related impact on electric system reliability. The distance of separation required to reduce the probability of simultaneous loss would depend on the terrain, the vegetation and the consequences of losing the multiple facilities. For example, ROW separation will typically need to be wider if the lines traverse forest land because a fast moving forest fire can cause outage of both lines if the ROW separation is not wide enough. Similarly, if study shows that the system cannot survive if multiple line loss occurred in the same corridor, then wider ROW separation would also be needed. PG&E urges to include due consideration of system reliability in addition efficient land resource utilization.

10-3

In conclusion, PG&E appreciates the opportunity to comment on the Alturas, Eagle Lake, and Surprise Field Offices' Draft Resource Management Plans and Environmental Impact Statements. PG&E believes that it is crucial for BLM to consider and modify its plan to address its suggestions and concerns above. If you have any questions, please contact Ryan Stanley at (415) 973-0415.

Sincerely,

Eric Eisenman

Eric Eisenman
Director,
ISO Relations & FERC Policy

Pacific Gas and Electric Company

Diane Ross-Leech
Program Manager
Environmental Policy

77 Beale Street
San Francisco, California 94120

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4150973-9201
dpr5@pge.com

July 10, 2006

Ms. Julia Souder
Office of Electricity Delivery and Energy Reliability
Room 8H-033
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

Re: West-wide Energy Corridor Programmatic EIS

Dear Ms. Souder,

Pacific Gas and Electric Company (PG&E) appreciates the continuing opportunity to contribute to the West-wide Energy Corridor Programmatic EIS process. Previous comments were provided for the record on November 28, 2005 regarding corridors within the State of California. This letter will supplement those and previous comments provided to the federal project team by PG&E.

PG&E indicated in our previous comments that there was a need for the federal project team to engage in more interaction with stakeholders and respectfully request that you provide opportunities to work more closely with project team members to discuss in detail stakeholder issues and future plans. The last public forum was in November 2005, and it would be an opportune time to get stakeholders together again to discuss the preliminary corridor maps.

Though PG&E has attempted to identify the appropriate corridors in this proceeding, PG&E's comments are based upon the understanding that the future development or upgrades of energy pipelines and transmission and distribution facilities will be fairly considered for federal permits and environmental reviews, whether or not the locations for such facilities are situated within a designated corridor. It is impossible to determine the needs and most appropriate locations for all potential energy facilities. Siting such facilities is a fluid process, dependent upon external factors including the location of generation, geography, climate, environmental, and historical concerns. For example, California, like many areas of the country, is seeking to enhance its use of renewable generation resources to meet environmental objectives and diversify its resource portfolio. The sites for such

renewable resources are potentially remote from load centers and would require expansion of the electric transmission system in order to develop. However, since in many cases such sites have yet to develop, the transmission need does not appear in congestion studies. As other generation sites and transmission needs evolve, the process for the designation of such energy corridors and/or permitting of such transmission lines needs to be flexible so that it can be updated as system needs change.

Congress enacted Section 368 of the Energy Policy Act of 2005 in order to facilitate the necessary expansion of the energy transmission system in order to maximize reliability and efficiency. Refusal or undue delay in considering requests for permits for future projects merely because they would be located outside of a designated corridor would violate the intent of Section 368 and restrict the potentially critical expansion of such transmission. Moreover, as the Notice of Intent for the current process indicated, new proposed project activities, though situated in designated corridors, will be analyzed in separate environmental analyses (70 Fed. Reg. 56647, 56648 (Sept. 28, 2005)). PG&E therefore urges the agencies to maintain and supplement as necessary the procedures by which utilities may expeditiously seek and obtain permits for future projects, whether such projects are located within, partially within, or outside of a designated corridor.

PG&E also requests that the federal project team communicate the process, criteria and decision matrix used to develop the preliminary corridor locations. Several of the corridors proposed by PG&E are either not referenced on the map and/or shown at locations which are not consistent with our future needs. Of specific concern to PG&E is the corridor identified between Topock, AZ and Bakersfield, CA. PG&E had proposed an expanded gas pipeline corridor, parallel to the existing gas transmission pipeline (L-300A&B) system between Topock and Bakersfield. The corridor shown on the draft map parallels Interstate Highway I-40 from the Arizona border towards Barstow near the intersection of I-15, and then heads southwest paralleling I-15 towards Victorville and San Bernardino. PG&E reiterates its request that a corridor be extended westward from Topock to Barstow along the existing pipeline corridor, and then on towards Bakersfield roughly paralleling Highway 58 and the existing pipeline route. PG&E anticipates that possible future expansion of gas supplies from the Rocky Mountains and LNG terminals within SW CA and NW Mexico may create a need to expand the gas pipeline capacity within this utility corridor.

It is unclear why the current corridor width of 3500 feet was selected. Based on our experiences in routing and siting for linear facilities of this nature, we believe that this could be increased to a minimum one mile width to allow adequate room for avoidance of sensitive resources and to maintain sufficient separation of facilities within the corridor so as not to compromise safety, reliability and national security concerns. PG&E would support the use of this standard until such time that a more effective width is identified. The scale of the draft maps makes it difficult to confirm absence of federal lands. Perhaps future maps could be published at a larger scale to compensate for this issue.

In addition, whether proposed corridors are intended for oil, gas, or hydrogen pipeline or electricity transmission or distribution facilities, or some combination thereof will have a significant impact upon the environmental effects of the designation of such corridors and the

incorporation into land use plans. To maximize efficient use of resources in studying the proposed corridors and the accuracy and relevance of the environmental reviews, the federal project team should determine which use (or uses) is intended for each proposed corridor. Studies can then be appropriately tailored to the intended use and will most effectively reflect the corresponding environmental impacts.

We recognize that the intent of this action is to designate energy corridors across federal lands. Since any future corridor will ultimately impact private and public lands, including federal lands, PG&E recommends that final mapping be coordinated with the California Public Utilities Commission and the California Energy Commission efforts to establish energy corridors within California. Where possible, locations of these federal corridors across private and public lands should be identified on future maps to provide continuity on the transition between federal land ownership and privately held lands. This would serve to identify possible points of constraint with local land use policies that may conflict with future utility facilities.

Finally, we would like to reiterate some of the key considerations for these federal corridors, including:

- Provide corridors suitable in terrain and free from physical constraints that prevent cost effective construction and management of utility facilities. Be mindful that underground pipelines have different corridor constraints than overhead electric power lines;
- Provide a mechanism to allow a utility to reserve corridor space;
- Allow perpetual entitlements within future corridors once approved;
- Streamline or simplify environmental and public review; and
- Incorporate existing utility corridors crossing federal lands into this designation process.

Attached for your use is an updated map for PG&E's service area that depicts recommended corridors in their approximate location, with the addition of the following specific new corridor: a 500kV electric transmission corridor from Midway Substation in Kern County to Gregg Substation in Fresno County necessary for future generation sources and bulk system transfers from the Western Electric Coordinating Council.

Sincerely,

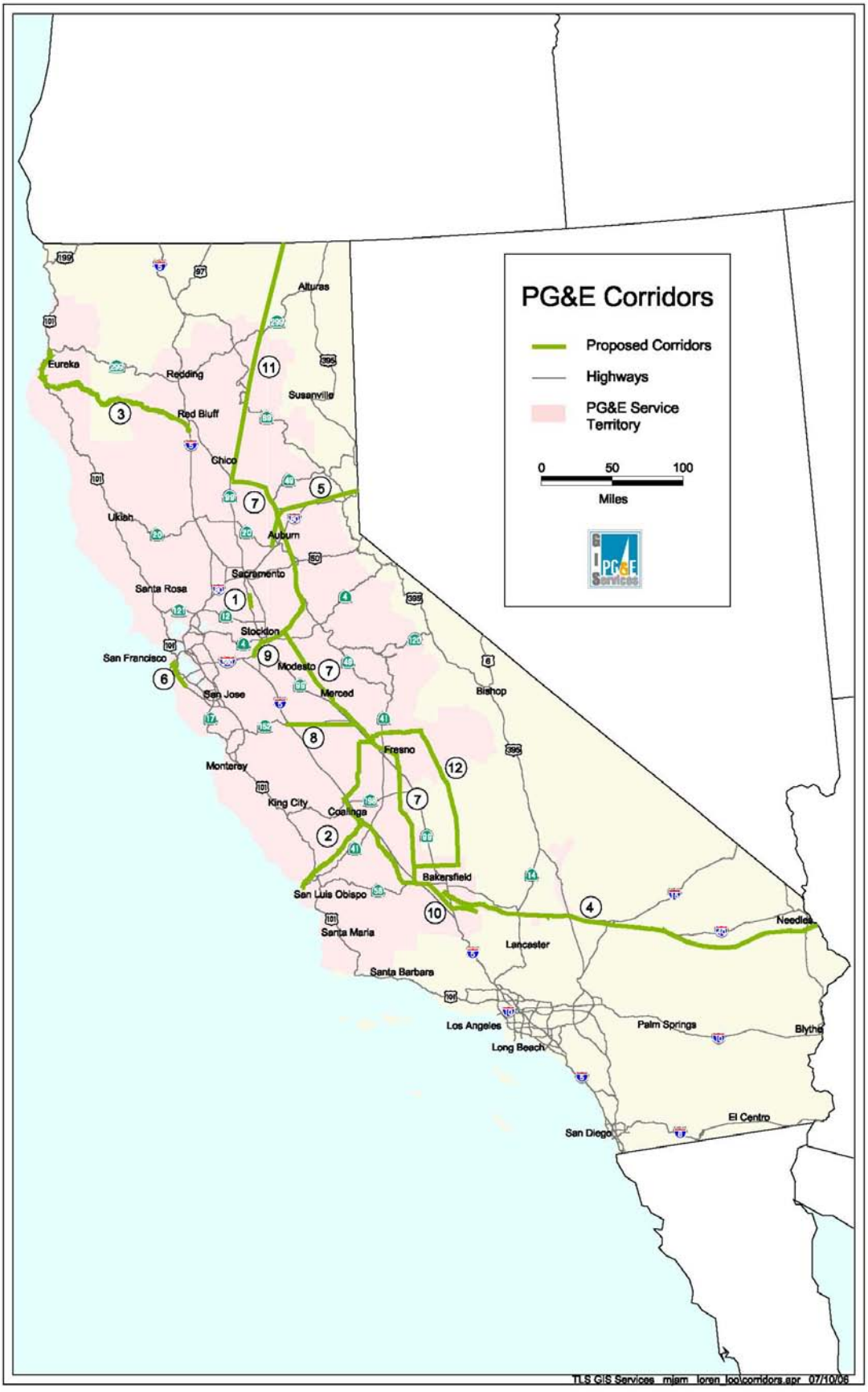
Diane Ross-Leech

Diane Ross-Leech
Manager, Environmental Policy

Cc:
Bud Anderson – Western Utility Group
Jim Bartridge – California Energy Commission

Pamela Lacey - American Gas Association
Richard Loughery – Edison Electric Institute

Bcc:
Dede Hapner
Robert Howard
Steven Kline
Alyssa Koo
David Kraska
Loren Loo
Stewart Ramsay


PG&E Corridors
Proposed Corridors
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Chico
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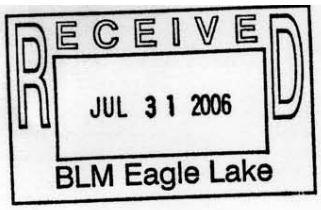

Estill Ranches, L.L.C.
John & Lani Estill
Jewell Estill
P.O. Box 655
Eagleville, California 96110

July 27, 2006

Owen Billingsley, Field Manager
USDI-BLM
Surprise Field Office
602 Cressler Street
Cedarville, California 96104
Telephone: 530-279-6101
Telecopy: 530-279-2171

Surprise RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130
Email: necarmp@ca.blm.gov

Re: Comments to the *Draft Resource Management Plan and Environmental Impact Statement, Bureau of Land Management, Surprise Field Office, Cedarville, California* dated February 2006, including its undated errata sheet, as well as for the Eagle Lake Field Office and Alturas Field Office

Dear Mr. Billingsley and Planning Coordinator:

Commentor is Estill.

These comments are submitted by Estill Ranches, L.L.C. [which is a limited liability company authorized to do business in California (Number 199735110023) and in Nevada (LLC5250-1997), and whose members are John & Lani Estill, husband & wife, and Jewell Estill, mother of John Estill] and by John & Lani Estill, and by Jewell Estill.[1]

Estill Ranches, L.L.C. owns private land within and adjacent to the Surprise Field Office, Eagle Lake Field Office, and Alturas Field Office, along with water rights, livestock and improvements, such as buildings, corrals, fencing, pipelines, water containers, reservoirs, wells, pumps, ditches, roads, equipment and motor vehicles. This private land, water rights, livestock, and improvements facilitate a yearlong cow-calf, stocker and ewe-lamb livestock operation which is dependent upon the use of the public lands within specific Allotments within the Surprise Field Office. The Surprise Field Office, the Eagle Lake Field Office, and the Alturas Field Office are within the geographical boundary of the Susanville Grazing District, California previously established by the Secretary of Interior on April 8, 1935, under the authority of the *Taylor Grazing Act*.[2]

Jewell Estill, John Estill and Lani Estill also use and depend upon the public lands within the Surprise Field Office, the Eagle Lake Field Office, and the Alturas Field Office for purposes other than facilitating a livestock operation. Specifically, they use the public lands for scientific, educational, spiritual, aesthetic and recreational (including camping, hiking, wildlife viewing, botanizing, bird-watching, sightseeing, photography, horseback riding and other) purposes. Based thereon, Jewell, John and Lani have a special interest in the protection and

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[1] We were assisted in the preparation of these comments by *Robert N. Schweigert*, B.S Range Management/Wildlife Habitat, M.S. Forest and Range Management/Wildlife Habitat.

[2] Note. The Surprise and Eagle Lake Field Offices – which are within the Susanville Grazing District, California – also administer some public lands within Nevada due to the geographical convenience of such public lands to California. Such public lands within Nevada are also within a Grazing District, i.e. the Winnemucca Grazing District, Nevada, established on October 18, 1935.

enhancement of the resources upon the public lands, including as the resources relate to wildlife species and special status species.

Surprise Field Office Allotments applicable to Estill.

The *Draft Resource Management Plan and Environmental Impact Statement, Bureau of Land Management, Surprise Field Office, Cedarville, California* dated February 2006 ("DRMP") identifies in Map GRZ-1 the "Livestock Grazing Allotments" that appear to be part of the focus of the DRMP, though, as discussed further below, the DRMP is void of any discussion of the "Alternatives" relative to the specific Allotments, is void of any description of the "Affected Environment" relative to the specific allotments, and is void of any analysis of the "Environmental Consequences" relative to the specific allotments. Of the allotments identified on Map GRZ-1, Estill Ranches, L.L.C. owns the "base property" supporting the Grazing Preferences and holds the associated Grazing Permits upon the following allotments, as follows:

11-1 through 11-3

(1) Tuledad Allotment via a Grazing Permit effective through February 28, 2011, which is enclosed as Attachment "A";

(2) Bare Allotment via a Grazing Permit effective through February 28, 2013, which is enclosed as Attachment "B"; and,

(3) Red Rock Lake and Selic-Alaska Allotments via a Grazing Permit effective through February 28, 2016, which is enclosed as Attachment "C".

In addition, Estill Ranches, L.L.C. controls the "base property" via a base property lease supporting Grazing Preferences and holds the associated Grazing Permit upon the Duck Lake and Highway Allotments via a Grazing Permit effective through April 1, 2007, which is enclosed as Attachment "D".

All six (6) of the allotments associated with Estill are within the southern portion of the Surprise Field Office, as illustrated in Map GRZ-1 of the DRMP, which implicate comments to the following areas and/or proposals discussed in the DRMP, as follows:

11-4 (1) A preferred alterative to establish the *Tuledad/Duck Flat CRMA* which will include a small portion of the southwestern part of the Bare Allotment and approximately the east half of the Tuledad Allotment (see Map CR-4). Estill opposes this preferred alternative and Estill urges adoption of Alternatives 1 or 3 on this point (see Maps CR-1, CR-3), as discussed further below.

11-5 (2) A preferred alternative to establish an *Appropriate Management Response Limited to Mainly Full Suppression* zone upon the public land area covering all six (6) of the allotments, except for an *Appropriate Management Response All Ranges Considered* zone upon the public land area covering a small north-central area of the Bare Allotment (see Map FIRE-1). Estill does not oppose this preferred alternative.

11-6 (3) A preferred alternative to establish specific zones relative to *Forest and Woodland Management* (see FOR-1) and *Fuels Management and Wildland Urban Interface Projects* (see FUELS-1) covering parts of all six (6) of the allotments. Estill does not oppose this preferred alternative but encourages planners to recognize livestock grazing as an important tool to remove excess forage while producing a viable product (beef and lamb) which benefits local and national economies. For the purpose of fire prevention livestock grazing should be increased via Temporary Non-Renewable (TNR) increases in authorized grazing whenever we have an

above average year in terms of rainfall and forage production.

11-7 (4) A preferred alternative to establish zones relative to *Land Tenure Adjustments* (see LANDS-1) covering parts of all six (6) of the allotments. Estill does not oppose this preferred alternative, assuming the grazer and adjacent landowner are given a first right of refusal to acquire the public lands subject to any sale disposal, per 43 C.F.R. 2710.0-6(c)(3)(iii).

11-8 (5) A preferred alternative to establish zones relative to *Leasable Minerals* (see MIN-1) covering the western half of the Tuledad Allotment and the northern 1/3 of the Bare Allotments, and to establish a zone of closure of *Leasable Minerals* covering a small southeastern portion of the Tuledad Allotment within what appears to be the Buffalo WSA (see MIN-1, WSA-1). Estill does not oppose this preferred alternative, as along as the "Prospective Oil and Gas Land" and the "Prospective Geothermal Land" development in Map MIN-1 is compatible with the authorized livestock use.

11-9 (6) A preferred alternative to establish the "*Buckhorn Back County Byway*" within the southeastern portion of the Tuledad Allotment (see REC-1). Estill does not oppose this preferred alternative, as along as the Byway is properly and adequately noticed and signed as to road conditions, livestock use, etc., and as along as the Byway remains compatible with the authorized livestock use.

11-10 (7) A preferred alternative to establish various *Recreational Opportunity Spectrum* zones within all six (6) allotments (see ROS-1). Estill opposes this preferred

alternative to extent it intends and/or is interpreted and applied to limit/close any motorized access to facilitate the livestock operations upon the six (6) allotments, particularly necessary at times to maintain range improvements and to manage the livestock. See also TRAV-1 (which purports to identify in the color brown "Existing Routes on BLM", which purports to identify in the color orange "Route Closures", and which purports to identify in the color green "Unauthorized Roads to be closed").[3]

11-10

(8) A preferred alternative to establish various *Recreational Opportunity Spectrum* zones within all six (6) allotments (see ROS-1). Estill opposes this preferred alternative to extent it intends and/or is interpreted and applied to limit/close any motorized access to facilitate the livestock operations upon the six (6) allotments, particularly necessary at times to maintain range improvements and to manage the livestock.

11-10

(9) A preferred alternative to establish various *Visual Resource Management* zones within all six (6) allotments (see VRM-1). Estill opposes this preferred alternative to extent it intends and/or is interpreted and applied to limit/close any motorized access to facilitate the livestock operations upon the six (6) allotments and to limit/restrict/close maintenance and/or construction of

11-11

[3] Due to the scale of the Map TRAV-1, it is impossible for Estill to identify the locations of the routes, and requests within these comments that BLM provide Estill with a larger scale map of TRAV-1 covering the named six (6) allotments. Upon the receipt of such larger scale map, Estill intends to comment further as to TRAV-1. In the meantime, Estill has two comments: First, Estill urges BLM to coordinate with the County (or applicable Road District) as to status of such routes. Second, Estill opposes the preferred alternative in TRAV-1 to extent it intends and/or is interpreted and applied to limit/close any motorized access to facilitate the livestock operations upon the six (6) allotments, particularly necessary at times to maintain range improvements and to manage the livestock.

range improvements to manage the livestock upon the public lands.

11-12

(10) A preferred alternative to ratify/establish various *Herd Management Areas* within all six (6) allotments (see WHB-1). Estill does not oppose this preferred alternative as related to ratifying the boundaries of the existing Coppersmith HMA, the Buckhorn HMA and the Fox Hog HMA, but Estill opposes the enlargement of the Fox Hog HMA within the Bare Allotment, for the reasons discussed further below.

The "Purpose and Need" intends to "to provide overall management and long-term direction for the public lands and resources administered by the Surprise Field Office" (DRMP, p. 1-3), but yet the discussions associated with the "Alternatives", "Affected Environment" an"Environmental Consequences" fail to satisfy such intention.

11-1 through 11-3

The DRMP is useless in providing overall management and long-term direction for the public lands as related livestock grazing. Livestock grazing is administered by the Surprise Field Office and authorized to Estill (and other permitteees) on an allotment-by-allotment basis, but yet the DRMP fails to discuss the "Alternatives", "Affected Environment" and "Environmental Consequences" on an allotment-by-allotment basis. Based thereon, it is impossible for Estill (and the interested publics) to truly comment to the DRMP and to comprehend the "overall management and long-term direction for the public lands" within the six (6) allotments that Estill holds a grazing authorization. In other words, *where are we* and *where are we intending to go*? These questions are unanswered in the DRMP, and as a consequence, puts Estill in jeopardy to future arbitrary action by the BLM since really no one knows *where we are intending to go.* There is an ol' saying, *if you don't know where you are going, you will be lost when you get there*, truly illustrates the underlying discussion of the "Purpose and Need" of the DRMP.

The DRMP purports to answer the question of *where are we* (i.e. the "Affected Environment") at page 3-50 relative to the grazing allotments via a discussion of the "Rangeland Health Assessment Determinations". However, what is lacking in such discussion is at least the following:

(1) What specific standards were met and not met. Map GRZ-1 is useless in informing Estill and the interested public, what standards were met and not met on an allotment-by-allotment basis, and perhaps more importantly, on a pasture/area basis within an allotment. For example, Map GRZ-1 discloses that "Not all standards met" upon the Bare Allotment, but yet it may well be that only one of the Standards is not met and then only upon a specific area/pasture of the Allotment. Map GRZ-1 is a gross misrepresentation and gross over-simplification of a very important description of the "Affected Environment" and provide valueless information upon which to comment and upon which to rely for future management.

11-2

(2) What is the reason for why a particular standard was met or not met. Map GRZ-1 and the DRMP itself provides no discussion of why any particular standard was met or not met. While the DRMP at the bottom of page 3-51 and the top of page 3-51provide a proper and complimentary picture of the accomplishments of meeting upland and riparian objectives through a variety of grazing management actions, the DRMP fails to provide such information on an allotment-by-allotment basis. It is possible that is a standard is not met due to reasons beyond the control of the livestock operator, even when livestock may be the reason. For example, BLM has not authorized a particular improvement to mitigate or abate an inherent concern.

(3) A reference in the text of the "Affected Environmental" section or in the appendix of the underlying data and/or rangeland health assessments which discloses the basis for the met/not met standards, and which also discloses the basis for why a standard is met/not met. Map GRZ-1 and particularly the DRMP as a whole violate BLM's obligation to "prepare and maintain on a continuing basis an inventory of all public lands and their resource and other values", which intends "to reflect changes in conditions and to identify new and emerging resource and other values". 43 U.S.C. 1711(a).

11-2

In addition, the DRMP purports to answer the question of *where are we intending to go* (i.e. the "Alternatives" and "Environmental Consequences") at page 2-44 and at page 4-66 relative to livestock grazing. However, what is lacking in such discussion is any discussion on an allotment-by-allotment basis. As eluded to above, each allotment have different challenges and opportunities relative to the range of Standards (and Guidelines) that exist. After discussing such challenges and opportunities, the DRMP should express a management direction upon an allotment-by-allotment basis, based upon such challenges and opportunities. For example, simply saying that we want to achieve Proper Functioning Condition of streams, says nothing of the fact that factual or legal factors may exist which prohibit to achieve such a Condition.

11-1 & 11-3

The "Alternative" discussion for livestock lacks specifics upon which to comprehend, and where specific as related to free-ranging bighorn sheep and domestic sheep, the DRMP errs.

Desired Future Condition and Goal relative to Livestock Grazing: While the "motherhood and apple pie" statements within the "Desired Future Condition" and "Goal" at page 2-40 are perhaps politically correct, such statements lack any substance, particularly on an allotment-by-allotment basis. As previously discussed (and which will not be repeated here), the DRMP continues in the "Alternative"

11-1

section relative to livestock grazing a gross over-simplification of *where we are intending to go.*

Objective relative to Livestock Grazing: The "Objective" at page 2-40 would appear to be specific stating:

> "Adequate forage would be produced to support sustainable levels of livestock grazing **where compatible** with objectives for other resources and resource users".

Bold emphasis supplied However, we categorically reject, both factually and legally, that livestock grazing should made "compatible" to "other resources and resources users", if such word is to be interpreted and applied by BLM to mean that the authorization of livestock grazing is subordinate to the authorization of other resources and resource users. The word "compatible", as used by the DRMP, is not defined in its Glossary (see DRMP, p. G-13), and the word "compatible" is often legally used to mean that a particular use is subordinate to another use.[4] To void such interpretation and application, we urge the replacement of the word "compatible" and the rephrasing of the "Objective" to state: "Adequate forage would be produced to support sustainable levels of livestock grazing **so as to be consistent** with objectives for other resources and resource users". Such change would also conform to the word "consistent" as defined by *Webster* and as referred to in Glossary of the DRMP at page G-13. It should be noted (and remembered) that the Surprise Field Office is within a Grazing District, wherein the Secretary of Interior determined that the public lands therein "are chiefly valuable for grazing and raising forage crops". 43 U.S.C. 315.

11-13

11-14

Management Comment to All Alternatives relative to Livestock Grazing: While it is appropriate for the DRMP to disclose at page 2-40 that "(r)eview of

[4] See, for example, 16 U.S.C. 460gg-4 (which states in part that the Hells Canyon National Recreation Act is to be administered "in a manner compatible with" seven objectives, two of which are "protection and maintenance of fish and wildlife habitat" and the continuation of existing uses, including grazing, "as are compatible with the provisions of this [Act]").

existing permitted use-levels would be conducted on individual allotments through assessment", the DRMP fails to disclose the methodology or methodologies upon which such assessment would be made. Forage production inventories and/or actual use-utilization methods are manualized procedures of BLM upon which to quantify grazing capacity and upon which to determine permitted use-levels, but yet the DRMP discloses nothing to the permittees (and to the interested publics) if such methods would be used to "(r)eview ... existing permitted use-levels (AUMs). We urge BLM to do so.

11-14

We reject that the DRMP should specifically provide that "wild or prescribed fire would be rested from livestock grazing for a minimum of two growing seasons". See DRMP, p. 2-41. As the DRMP immediately thereafter admits at page 2-41, it is possible that less time may be warranted. If truly the DRMP intends to "(r)eview ... existing permitted use-levels ... through assessment", then he DRMP should leave it to such assessment process to decide the period upon which to rest an area after a wild or prescribed fire.

11-15

We reject the categorical adoption and application at page 2-1 of the policies set forth in the "California BLM Supplemental Manual 1745 and Handbook 1745-1, Use of Native Plant Materials in California" when seeking to rehabilitate wild or prescribed burn areas and/or to rehabilitate or augment the forage resources of an area. The "hands should not be tied down" as to the management options that should be available to a Field Manager. For example, the cost or unavailability of native seed could likely negate the ability to immediately rehabilitate an area to protect soil and watershed resources, which would have the added consequence of allowing time for noxious weeds or other undesirable plants to obtain a stronghold upon an area. It is extremely short-sighted and imprudent to ignore the availability of other types of seed, such as forge kochia and crested wheatgrass.

11-16

We reject the categorical adoption and application at page 2-41 of maintaining of the 5,500 acres of existing "Livestock exclosure fencing" There may be other management actions that could arise in the future to modify or eliminate some of these exclosures. New livestock exclosures are problematic because the agency historically does not have the resources to maintain the fences

11-17

11-17 once they are built. This puts an unreasonable burden on grazers to maintain additional fences or herd to keep their animals out of the exclosures. Before any new construction of fences or developments the funds to maintain the improvements need to be accounted for.

11-18 We reject the two references at page 2-41 that any water development should consider the needs of "wild horses". Wild horses and wild burros are to be managed within a natural thriving ecological balance with other uses, per the Wild Horse & Burro Act. The word "natural" does not include artificial water development. Moreover, a permittee should not be asked to water the wild horses, when it is possible that such obligation would/could constitute a taking of private property (i.e. water rights) that may be owned upon a permittee upon the public lands in California or Nevada.

11-19 We request some clarification at page 2-41 relative to the "Target utilization of key species". The literature and science supports that in many cases use levels should exceed 60% to support and maintain the vigor of native and non-native plants, particularly when a "wolf-plant" problem exists. In addition, data may indicate that the grazing system provides for sufficient needs of the native and non-native plants irrespective of the use levels observed overtime.

11-20 We contend that the "grazing permittee ... relinquishment" provision at page 2-42 should be removed, since the DRMP explicitly recognizes that should such process be initiated, that BLM would complete a land use plan amendment process.

11-21 Preferred Alternative relative to Livestock Grazing: We reject the suggestion in the Preferred Alternative at page 2-44 to "continue to authorize approximately 92,465 AUMs of livestock use annually", since such statement can be interpreted or applied to mean that livestock use could not exceed 92,465 AUMs and/or to mean that no increases in permitted use will be authorized over the life of the plan. We urge that the statement be rephrased to state: "... continue to authorize approximately 92,465 AUMs of livestock use annually, subject to site-specific assessment which may demonstrate a basis to increase, either temporarily or

permanently, existing permitted use-levels (AUMs)". Compare DRMP, p. 4-75 (wherein the DRMP appears to get it right in the "Environmental Consequences" section, stating that "The Surprise Field Office would continue to annually authorize at least 92,465 AUMs of forage on 1,445,443 acres", adding that "overall
11-21 livestock AUM authorization would increase by 1 to 5% ... during the life of the plan". However, we urge that the DRMP don't limit the forage allocation to only a potential increase of 1 to 5%, assuming that is a suggested limitation.).

While we don't reject *per se* that adjustments between livestock AUMs and wild horse AMLs within a herd management areas be "equitable" (see DRMP, page 2-44), we urge that when such "equitable" adjustments are made, consideration is given to factors, such as the number of years upon which wild
11-22 horses and/or burros grazed in excess of AML, in which case it is urged that wild horses and burros be disproportionately removed to account for the history of excessive use by wild horses and burros, as against livestock. It is our experience that due to management failures by BLM (either caused by lack of time or money) excess wild horses and burros remain upon the public land to the detriment of the livestock resources and other resources. Disproportionate removals should be the standard operating procedure made in the plan when periods of excessive use occurs by wild horses and/or burros. In such situations, disproportionate removals would be "equitable".

11-23 We reject that apparent condition applied at page 2-44 relative to the construction of additional fencing. The Field Manager should not be limited or restrained in his/her ability to construct additional fencing (or water development) so as to simultaneously satisfy livestock and other objectives.

11-24 We reject that apparent condition applied at page 2-44 relative to the construction of additional water development. The Field Manager should not be limited or restrained in his/her ability to construct additional water development only where "minimal impact on other resources" would occur and only where "additional water development would benefit wildlife". While a Field Manager may want to consider such factors in authorizing additional water development, they should not be the only factors. The development of water for the purpose of

better livestock distribution is a viable consideration, and should serve a basis for the authorization of additional water development independent of impacts to other resources and wildlife (though one could believe that all could be made consistent). See discussion above about the word "compatible", wherein this about additional water development discussion clearly suggests that the DRMP intends, erroneously we might add, to make livestock grazing a second class citizen to other resources, i.e. subordinate to other resources.

11-24

Preferred Alternative relative to Livestock Grazing, i.e. domestic sheep:

11-25

While we agree that domestic sheep grazing should continue within the Tuledad, Selic-Alaska, and Red Rock Lake Allotments (and other allotments within the Susanville Grazing District), we categorically reject that such continued use is subject to "no evidence of disease transmission from domestic to bighorn sheep". See DRMP, p. 2-44. The DRMP is void of any discussion of the scientific validity of a risk of disease transmission between domestic to bighorn sheep, and the best available literature and science demonstrate that the fallacy of such risk. We urge that this entire provision of the DRMP at page 2-44 be deleted.

Changing/eliminating the management of domestic sheep within the Tuledad, Selic-Alaska, and Red Rock Lake Allotments (and other allotments within the Susanville Grazing District, California) will do little to improve the overall viability of bighorn sheep populations if there are other significant factors that adversely impact the bighorn sheep. Evidence from sources often cited by the purported pro-disease transmission people like Foreyt, and evidence overlooked by Foreyt and others, indicate that there are other factors that adversely impact bighorn sheep populations, and that these other factors are as significant as, or perhaps more significant than, the purported disease transmission from domestic sheep.

Cassirer et al. (1996) cite evidence that domestic sheep and bighorn sheep must be kept separated in order to maintain healthy bighorn populations, and Rudolph et al. (2003) cite evidence that organisms that cause bacterial pneumonia (Pasteurellosis) can be transmitted from domestic goats to bighorn sheep. These works both chronicle a die-off in the Hells Canyon area Idaho that killed an

estimated 327 bighorn sheep between November 1995 and March 1996. However, a close reading of these two works makes it clear that domestic sheep and feral goats cannot be implicated in the overall epizootic because the vast majority of the 97 bighorn sheep that were tested did not carry any *Pasteurella* strains that matched the DNA profile of strains isolated from the domestic sheep or feral goats. One bighorn sheep was infected with two *Pasteurella* strains identical with strains carried by a single goat. DNA analysis also indicated that common *Pasteurella* strains were shared between four bighorn sheep and three feral goats. The other DNA profiles from 96% of the bighorn sheep exhibited such a high degree of variation that the authors concluded "overall, DNA typing did not identify a single common *Pasteurella* organism in the affected bighorn sheep herds." Cassirer et al. (1996). Likewise, Rudolph et al. concluded "there is no evidence that those organisms (carried by the goat) were associated with subsequent disease or deaths (among the bighorn sheep)." Ultimately, the primary source of disease responsible for this bighorn sheep die-off came from something other than domestic sheep or goats, demonstrating that disease vectors other than domestic sheep play a vital role in bighorn sheep viability in the Hells Canyon area itself.

11-25

In addition, Goodson (1982) cites five references that reported declines and die-offs in bighorn sheep populations due to bacterial pneumonia without any known association with domestic sheep. Mathis (2005) reported that poor bighorn lamb survival at the Desert National Wildlife Refuge near Las Vegas was due to pasteurella pneumonia despite the fact that these lambs, and many generations before them, had no association with domestic sheep. Similar cases of bighorn die-offs due to bacterial pneumonia without any known association with domestic sheep in the Black Gap area of Texas, in Nevada's Dutch Creek enclosure, and around the California lava beds were reported in the Desert Bighorn Council Transactions of 1972, 1973, and 1976 respectively. In each of these cases, sources other than domestic sheep must have triggered the bacterial pneumonia outbreaks that adversely impacted the bighorn sheep populations, again demonstrating that disease vectors other than domestic sheep play a vital role in bighorn sheep viability.

Pasteurella species are widespread among both terrestrial and aquatic birds and mammals. *Pasteurella multocida* alone has been isolated from cattle, sheep, goats, pigs, bighorn sheep, bison, elk, deer, rabbits, and turkeys (Weiser et al. 2003). *Pasteurella* species are also known to be carried by cats, cougars, all ruminants, rodents, and birds. Ward et al. (2006) reported that "(e)ssentially all bighorn sheep populations harbor multiple strains of *Puasteurellaceae*, and *Pasteurella* or *Mannheimia* spp. have been incriminated as the cause of some epizootics of respiratory disease." In this study, *Haemophilus somnus* (*Histophilus somni*) was isolated for the first time from reproductive and respiratory tissue in several bighorn sheep, including bighorn sheep that appeared to have died from pneumonia. They noted that *H. somnus* was found in alveolar debris in lung areas with noticeable inflammation. Such findings may be of particular importance because the organism is associated with respiratory disease and/or reproductive failure in American bison, domestic sheep, and cattle. *H. somnus* isolated from bighorn sheep differed from similar organisms previously isolated from domestic livestock by producing less pigment and exhibiting no growth enhancement under elevated CO_2 levels. These differences indicate at least some degree of host specificity and probably prevented the organisms from being detected in previous investigations of bighorn sheep disease. All of this evidence indicates that disease vectors other than domestic sheep, and disease organisms other than those from the *Pasteurellaceae* family, play a vital role in bighorn sheep viability. Yet, the DRMP ignores these factors completely, entirely ignores the body of work conducted by Ward and Weiser (including the papers cited above) and others who conclude that no evidence has ever shown that an epizootic in free-ranging bighorn sheep was caused by contact with domestic sheep, and instead focuses upon circumstantial evidence and confinement trials to conclude that the transmission of *Pasteurella* species from domestic sheep poses a significant risk to bighorn sheep.

11-25

Predation is another factor that can have a significant affect on bighorn sheep. In many free-range situations, predation has been found to be the number one cause of mortality for bighorn sheep. For example, Wehausen (1996) found that predation by mountain lions accounted for all the mortalities of radio-collared bighorn sheep in the Granite Mountains of California between 1988 and 1995, which is within the Susanville Grazing District. He reported that mountain lion

11-26

predation caused bighorn sheep populations to decline to low densities in the Sierra Nevada and Granite Mountains of California and concluded that such predation "halted a previously successful restoration program for bighorn sheep … and reversed the overall population trend." Mountain lion predation was also the most significant cause of mortality among 91 radio-collared bighorn sheep studied between 1992 and 1996 in the Peninsular Ranges of southern California, accounting for an average of 63% of all mortalities in the six sheep populations studied (Boyce and Rubin 1996). Mortalities attributed to predation ranged from 27% to 100% in these six Peninsular Range bighorn sheep populations. In a more recent report regarding the Peninsular Ranges of southern California, Hayes et al. (2000) found that between 1992 and 1998, Mountain lion predation was the most frequent cause of mortality, accounting for 69% of all mortalities. This report concluded that "a sustained high level of predation by mountain lions, such as was seen during this study may impede the recovery of this population."

11-26

For at least the last 30 years that the California Fish and Game has been reintroducing bighorn sheep into the Sierra Nevada Mountains, it has documented every loss that it could find. About 55% of all the documented mortality of bighorn sheep has been due to predation (Findley 2005). Should predator populations increase, other prey sources become more scarce (perhaps through the reduction or removal of domestic sheep from BLM sheep allotments), or bighorn sheep and predator habitats shift to include more overlap (perhaps in response to wildfire, drought, increased recreational pressure, or other natural or management induced factors) predation could easily become the number one factor affecting bighorn sheep in the Surprise Field Office, as well as the remainder of the Susanville Grazing District. Yet the DRMP completely ignores the impacts of predation in its "Preferred Alternative" section (and "Affected Environment" section and "Environmental Consequences" section) to condition the continued authorization of domestic sheep use.

11-27

There are numerous other factors that can cause mortality in bighorn sheep, including falls and injury, harvest, poaching, and vehicle collisions, and recognizes that other factors such as wildfire and drought can influence bighorn sheep viability, yet the DRMP completely ignores these factors. Legg et al. (1996)

11-27

investigated nine possible factors that may have contributed to a dramatic decline in the Tom Miner Basin bighorn sheep population (part of the upper Yellowstone metapopulation) between the late 1970's and the 1990's. Using a variety of data and information, the investigators eliminated most possibilities and were left with predation and weather as the most likely causes for the decline. Findley (2005) reports that about 20% of all the documented mortality of bighorn sheep in the Sierra Nevada Mountains has been attributed to avalanches, while none could be attributed to disease transmitted from domestic sheep (and 55% was from predation).

11-25 through 11-27

Despite evidence that many other factors have a significant bearing on bighorn sheep, the DRMP ignores all such factors other than disease transmission from domestic sheep. But even as to the purported disease transmission between free-ranging bighorn and domestic sheep, the DRMP ignores the best available information.

11-25

The likes of Goodson (1982), Toweill and Geist (1999), Foreyt and Jessup (1982), Onderka and Wishart (1988), Foreyt (1989), Desert Bighorn Council Technical Staff (1990), Callan et al. (1991), Martin et al. (1996), USDI Bureau of Land Management (1998), Bunch et al. (1999), Singer et al. (2000a, 2000b, 2000c, 2000d), Monello et al. (2001), Schommer and Woolever (2001)[5], Singer et al. (2001), Dubay et al. (2002), and Garde et al. (2005) are often cited as evidence for purportedly linking domestic sheep to disease outbreaks in free-ranging bighorn sheep and to support the statement that "domestic sheep and bighorn sheep must be kept separated in order to maintain healthy bighorn populations." However, each of these references either relies solely upon circumstantial evidence, small clinical

[5] Note. The Schommer paper cites Ashmanskas, 1995 in support of the claim that "(s)cientific research has proven that when bighorn sheep intermingle with domestic sheep, large numbers of bighorn sheep die." However, it is appears that such statement is cited from a Summary Judgment document from the United States District Court in Portland, Oregon, not from any peer review and/or scientific literature. Moreover, it is prudent to reveal that Ashmanskas, 1995 was a product of a review applied under the Administrative Procedure Act, and was not the product of: (1) a *Daubert* type hearing; (2) a judge/jury trial process wherein witnesses were subject to an oath and cross-examination; and/or, (3) the scientific method. See Schroeder, W.A. 2000. Junk or Science in the Court System: You may be surprised! Rangelands 22, No. 3:25-27.

trials, or small groups of confined bighorn sheep as the basis for the findings. **No evidence has been provided to link domestic sheep to disease outbreaks in free-ranging bighorn sheep or to support the notion that domestic sheep and bighorn sheep must be kept separated in order to maintain healthy free-ranging bighorn sheep populations.** In fact, Cassirer et al. (1996) provides the only documentation that disease organisms may have been shared between domestic sheep and free-ranging bighorn sheep, but even in this case domestic sheep (and goats) cannot be implicated in the massive bighorn sheep die-off because only a small minority (approximately 4%) of the affected bighorn sheep carried organisms that matched those carried by the domestic animals. DNA profiles from the other 96% of the affected bighorn sheep exhibited such a high degree of variation that the investigators concluded "overall, DNA typing did not identify a single common *Pasteurella* organism in the affected bighorn sheep herds."

11-25

Martin et al. (1996) are also cited to support the statement that "domestic sheep and bighorn sheep must be kept separated in order to maintain healthy bighorn populations." Indeed, Martin et al. states "(n)o studies reported any bighorn herds, fenced or free ranging, that have come into contact with domestic sheep and remained healthy." However, just one year latter it was reported that four Nevada bighorn sheep populations were studied where domestic sheep were sighted with the bighorns. Various *Pasteurella* species and strains were found within all of these Nevada bighorn sheep and within all but one of the domestic sheep, but no disease was detected in any of the bighorn populations and only one *Pasteurella* strain was shared between any bighorn sheep and the domestic sheep (Ward et al. 1997). Furthermore, no reports of disease epidemics or die-offs have been reported within these four Nevada bighorn sheep populations since 1997.

Likewise, the notion that free-ranging bighorn sheep populations that are isolated from domestic sheep are safe from disease epidemics also cannot be supported by the evidence. Goodson (1982) cited five references that reported declines and die-offs in bighorn sheep populations due to bacterial pneumonia without any known association with domestic sheep. Similar cases of bighorn die-offs due to bacterial pneumonia without any known association with domestic

sheep have been documented at the Desert National Wildlife Refuge near Las Vegas (Mathis 2005), in the Black Gap area of Texas (Desert Bighorn Council Transactions of 1972), in Nevada's Dutch Creek enclosure (Desert Bighorn Council Transactions of 1973), and around the California lava beds (Desert Bighorn Council Transactions of 1976).

11-25

Therefore, despite the direct implications within the DRMP at page 2-44, the association of bighorn sheep with domestic sheep is not followed by an imminent disease epidemic, and isolation of bighorn sheep from domestics is not a guarantee against a disease epidemic. See also the Comments submitted by the following individuals related to similar erroneous claims recently made by the Payette National Forest, Idaho, in February 2006, which are incorporated herein:

(1) Comments by Marie S. Bulgin DVM, Dip ACVM, MBA dated July 2006; Coordinator, University of Idaho, Caine Veterinary Teaching and Research Center; Sheep Specialist and Head of Food Animal Clinical Medicine; 1020 E. Homedale Road; Caldwell, Idaho 83607, which at enclosed as Attachment "E".

(2) Comments by Glen C. Weiser, Ph.D. dated July 12, 2006, and July 18, 2006; Research Scientist; University of Idaho, Caine Veterinary Teaching and Research Center; 1020 E. Homedale Road; Caldwell, Idaho 83607, which are enclosed as Attachment "F".

(3) Comments by Alton C. S. Ward, Ph.D. dated July 14, 2006, Professor emeritus, which are enclosed as Attachment "G".

11-2

The "Affected Environment" discussion for livestock lacks specifics upon which to comprehend, and omits any discussion that a conflict exists between free-ranging bighorn sheep and domestic sheep within the Tuledad, Selic-

Alaska, and Red Rock Lake Allotments (and other allotments within the Susanville Grazing District). DRMP, pp. 3-49 to 3-53.

11-2 See comments above about the reliance upon the "Rangeland Health Assessment Determinations".

We concur that the grazing management "in the late 1970's and early 1980's" has resulted in satisfying the objective "to maintain or improve the condition of the upland vegetation" to a point that "it is comparable to what is considered normal and healthy for the soil and the ecological site on which vegetation occurs". See DRMP, pp. 3-51 and 3-52. In addition, we concur that the grazing management "(s)ubsequent to the original RMPs" has been implemented to meet sensitive species, riparian, etc., type objectives. See DRMP, p. 3-52.

11-28 We reject the concept that "Forage production and availability naturally fluctuate annually in the Surprise Field Office area", as stated at page 3-52. This statement suggests that the Field Office is akin to ephemeral type rangeland, and clearly it is not. While we agree that annual precipitation may certainly affect the annual amount of production, we nevertheless contend that the livestock forage available on a temporary basis or a sustained yield basis can be a number that can be quantified and permitted, consistent with other management objectives.

11-29 We reject the concept at page 3-53 that "non-native annual brome grass species "will never be completely eliminated from the communities where they currently exists". Managing the timing and intensity of grazing can help eliminate and reduce the area of such areas, but as discussed above relative to page 2-41, i.e. "Target utilization", the DRMP needs to be clarified to authorize the Field Manager the request authority to authorize use levels beyond 60% to help remove the likes of cheatgrass and its seed source.

11-3 **The "Environmental Consequences" discussion for livestock lacks specifics. DRMP, pp. 4-66 to 4-79.**

Methodology and Assumptions relative to Livestock Grazing: The DRMP at page 4-66 predicates itself upon certain methods or assumptions which are "relative". For example, the words "Higher costs" are relative words. In addition, 11-30 we reject the gross misrepresentation and gross over-simplification of the grazing capacity within the Field Office to be 16 acres per AUM. This figure appears to arise simply be dividing 92,465 AUMs by 1,445,443 acres (which equates to 15.63 acres per AUM).The available data, which is not reported in the DRMP, would indicate a grazing capacity in excess of 16 acres per AUM in the six (6) allotments to which Estill is authorized to graze livestock.

Information relative to Livestock Grazing: While the DRMP states at page 4-66 that "Adequate information is available to assess the impacts", such information is not reported, discussed and/or analyzed in the DRMP. For example, the grazing capacity is not 16 acres per AUM on each allotment within the Field Office, and to make assumptions on impacts for each allotment based upon such assumption is completely arbitrary.

Impacts Comment to All Alternatives: We reject that the limit of 40-60% 11-19 utilization "would not change under any alternative". See DRMP, p. 4-67. As stated above, we urge the clarification of such point. We reject the concept at page 11-31 4-67 that "the season, duration, and frequency of wild horse use cannot be controlled", since such can be control through timely census and timely removal of excess wild horses. We agree that "Seedings designed for livestock forage benefit" 11-16 can have positive impacts, and should thus be a tool, including the use of non-native seedings, to achieve such positive impacts, as discussed above. See DRMP, 11-15 p.4-67. We reject any defined period of rest after wildfire, etc., as discussed above. 11-2 See DRMP, p. 4-67. We reject that upland soil status claim, at page 4-68, since no data is reported disclosing that 49,894 acres "are not meeting Land Health Standards".

Preferred Alternative: We reject that "other high-priority resources" would/could supercede the livestock resources, i.e. make livestock subordinate to 11-13 other resources within a multiple-use management area. See DRMP, p. 4-75. Moreover, the DRMP fails to disclose the "other high-priority resources" making any livestock grazing authorization subject to arbitrary action.

11-21 See comment above about AUM level and future AUM level. See DRMP, p. 4-75.

11-19 See comment above about "Target maximum utilization" level. See DRMP, pp. 4-75 to 4-76.

11-12 We reject the lack of analysis of the expansion of the Fog Hog HMA. See DRMP, p. 4-76. No discussion is made to legally warrant the expansion of the Fog Hog HMA. The proposed expansions is beyond the 1971 herd area.

11-16 See comment above about using non-native seed in intended treated areas. See DRMP, p. 4-76.

11-15 See comment above about the rest period after fire or seeding. See DRMP, p. 4-76.

11-32 We agree that the "existing good condition" created wheatgrass seedings "would be maintained", i.e. 36,740 acres. However, the DRMP fails to disclose the location of such acres. We are not seeing any reference on Map VEG-1 or Map VEG-2 to the existing "seedings". However, we reject that the "existing poor condition seedings on one allotment ... would be restored to native species-dominated communities and would no longer be managed as seedings", i.e. 8,400 acres (and perhaps 143,307 acres). Again, the DRMP fails to disclose the location of such acres. We are not seeing any reference on Map VEG-1 or Map VEG-2 to the existing "seedings". The cost to restore such "poor" seedings to native would be cost-prohibitive, and a more efficient use of time and money would be to assess means to manage the existing seedings. Related thereto, the DRMP provides no

11-33 analysis as to the basis of distinguishing between a "good" and "poor" seeding. The literature/science would indicate that 5 acres or less per AUM would be an "excellent" seeding, and 5-10 acres per AUM would be a "good" seeding. See DRMP, p. 4-76.

11-25 See comment above about bighorn sheep and domestic sheep. See DRMP, p. 4-77.

Other Resources, as they relate to livestock, not otherwise discussed above.

(1) Access. The DRMP explicitly or implicit intends to restrict or close access based upon the following: (a) a preferred alternative to establish the "*Buckhorn Back County Byway*" within the southeastern portion of the Tuledad Allotment (see REC-1); (b) a preferred alternative to establish various *Recreational Opportunity Spectrum* zones within all six (6) allotments (see ROS-1); (c) a preferred alternative to closure of roads (see TRAV-1); (d) a preferred alternative to establish various *Recreational Opportunity Spectrum* zones within all six (6) allotments (see ROS-1); and, (e) a preferred alternative to establish various *Visual Resource Management* zones within all six (6) allotments (see VRM-1). Estill opposes these preferred alternatives to extent they intend and/or is interpreted and applied to limit/close any motorized access to facilitate the livestock operations upon the six (6) allotments and/or to limit/restrict/close maintenance and/or construction of range improvements to manage the livestock upon the public lands. See attachment A-1

11-9 through 11-11

11-34 (2) Water Rights. Estill rejects and opposes the application by USDI or BLM to apply for any water rights that are not consistent with law or that intend to subordinate the water rights of Estill.

11-4 (3) CRMA. Estill rejects and opposes the establishment of the Tuledad/Duck Flat CRMA, i.e. an 88,213 acre area. Such is unnecessary and unwarranted, and will only be intended and applied to subordinate the existing rights/entitlements of livestock grazing and other resource uses. See DRMP, pp. 2-13, 2-14.

11-35 (4) Utility Corridors. Estill encourages the development of Energy/Utilities Corridors to facilitate and coordinate the new interest in additional domestic sources of energy in the Western States. There have been increased applications to study energy resources in the Surprise Field Office and the DRMP should recognize the need to coordinate the potential new use of the public lands.

If you have any questions, please call or write us. Otherwise, we reserve the right to supplement these comments (particularly after receipt of a better/large Map TRAV-1, see footnote 3 herein), and please be advised that we desire to be kept informed on a continual basis of all meetings, letters, memos, emails related to this matter. We look forward to working with you and the BLM.

Very truly yours,

Estill Ranches, L.L.C..

by _____
John Estill

John & Lani Estill
Jewell Estill

by
John Estill

Enclosures

P.S. While these comments, on their face, directly relate to the Surprise DRMP-DEIS, they equally intend to comment to the Eagle Lake DRMP and to the Alturas DRMP to the extent that our review of the Eagle Lake DRMP and Alturas DRMP have the same or similar statements therein.

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mailto:info@sheepusa.org

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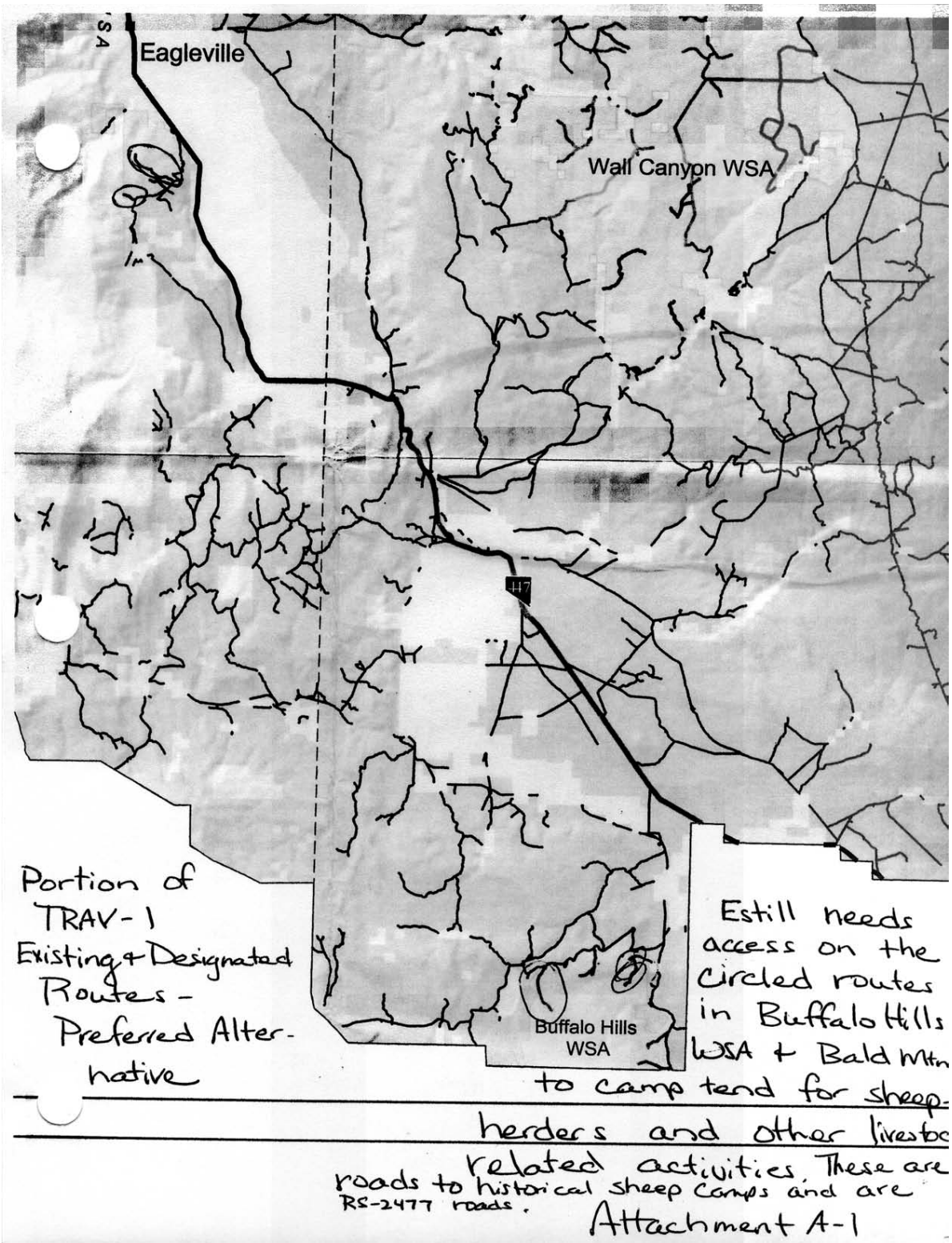

Portion of TRAV-1 Existing & Designated Routes - Preferred Alternative

Estill needs access on the circled routes in Buffalo Hills WSA & Bald Mtn to camp tend for sheep-herders and other livestock related activities. These are roads to historical sheep camps and are RS-2477 roads.

Attachment A-1

FRIENDS OF THE RIVER
915 20TH STREET ~ SACRAMENTO, CA 95814
PHONE: (916) 442-3155 ~ EMAIL: SEVANS@FRIENDSOFTHERIVER.ORG

July 25, 2006

Ms. Sue Noggles
Bureau of Land Management
Northeast California RMPs
2950 Riverside Drive
Susanville, CA 96130

Re: Comments in response to the Northeast California Draft RMPs/EISs

Dear Ms. Noggles:

Thank you for soliciting public comments in response to the draft Eagle Lake, Alturas, and Surprise RMPs/EISs. Friends of the River's comments focus on the Wild & Scenic River evaluation component of the draft RMPs/EISs.

First of all, Friends of the River commends the BLM's effort in the draft RMPs/EISs to evaluate candidate Wild & Scenic Rivers and recommend designations. This continues a positive trend in most BLM plans to complete both eligibility and suitability evaluations for potential Wild & Scenic Rivers in the RMP.

Friends of the River has a number of specific comments concerning the Wild & Scenic Rivers components in the draft RMPs/EISs.

Suitability Recommendations

12-1 Friends of the River strongly supports designation of all eligible river and stream segments identified in the draft RMPs/EISs, including upper Smoke Creek, lower Smoke Creek, Willow Creek, Susan River, upper Pit River, lower Pit River, Horse Creek, and Twelve Mile Creek. Designation will not only protect nationally and regionally significant streams, it will increase the diversity of streams represented in the National Wild & Scenic Rivers System.

12-2 Maximum river protection is best represented in the Ecosystem Restoration Alternative for all three plans. Friends of the River therefore endorses this

alternative and urges that it be adopted as the preferred alternative in regard to Wild & Scenic Rivers in the final plans.

Eagle Lake RMP Preferred Alternative

Friends of the River cannot support the identified preferred alternative in the draft Eagle Lake RMP because it fails to recommend for designation lower Smoke Creek, Willow Creek, and the Susan River. Although guidelines suggest that local governments be consulted, their parochial views should not be the primary factor in determining suitability. Lassen County's opposition to Wild & Scenic protection in order to retain the option to build dams on the Susan River and Willow Creek directly contradicts and ignores the benefits the county residents receive from the outdoor recreation and tourism opportunities provided by these streams.

12-3 These streams are national resources and the BLM has the responsibility to protect and preserve the free flowing character and outstanding values of these streams for everyone in the United States. The agency should not be held hostage to the contradictory whims of local government that claims authority over the future of national resources.

The decision in the draft RMP/EIS to not recommend lower Smoke Creek is even more ambiguous. According to a draft suitability rationale not included in the plan, Washoe County has apparently not taken a formal position on federal designation of lower Smoke Creek, although their planning policies support the protection of the creek's free flowing character, riparian habitat, scenery, and heritage values. Again, local government support or opposition, or in the is case, the lack of a position, should not be the sole or primary factor in determining suitability.

Alturas RMP Preferred Alternative

12-4 Friends of the River supports the suitability recommendations found in the Alturas RMP's preferred alternative for the lower Pit River, upper Pit River, and Horse Creek.

Surprise RMP Preferred Alternative

There are some ambiguous aspects to the suitability recommendation for Twelve Mile Creek in the draft Surprise RMP. The first is that although the RMP repeatedly states that a 2.2 mile segment is recommended, the WSR map in the Vol. 1 suggests that five or more miles of the creek, including segments in Oregon, Nevada, and

12-5 California, are recommended. The map suggests but the narrative does not confirm that the Lakeview Field Office has already recommended its segments of Twelve Mile Creek and that the Surprise RMP completes the decision by recommending a 2.2 mile connecting segment. There is also a somewhat confusing discussion (V.1,

pgs. 2-62-63) about the different roles of various field and state offices in the decision. Things are confused even further because a typo on pg. ES-7 states that a "22 mile section" is recommended.

In addition, the draft RMP repeatedly states that Twelve Mile Creek is "administratively suitable" for designation. "Administratively" is an unnecessary
12-6 and meaningless qualification. It implies that the creek may not be suitable in other venues or perspectives, such as the political arena. For purposes of clarity, the RMP should simply use the language found in the other RMPs; Twelve Mile Creek is recommended as suitable for designation.

Interim Protection of Suitable Rivers

The Alturas draft RMP/EIS states:

"If Congress fails to act within three years of receiving the suitability report, management of the river reverts to the guidelines established in the land use plan for the area where the river is located and interim protection under the WSR Act lapses." (V. 1, pg. 4-124)

The Eagle Lake draft RMP/EIS ends this sentence after "land use plan", although it implies that interim protection lapses after three years (V. 1, pg. 4-162).

Friends of the River is not aware of this directive in the BLM Manual 8351. The latest version of 8351 we found on the internet was dated 1993 and it makes no mention of interim protection lapsing after three years if Congress fails to act on a
12-7 suitability recommendation.

Congress has not designated a federal river in California in 18 years. After more than six years of intense local organizing and development of local political support by a large coalition of local, statewide and national conservation organizations, legislation for two modest designations of the Black Butte and Amargosa Rivers are currently under consideration by Congress. Despite recent positive events, it would be naïve to assume the Congress at this time is going to expedite additional designations of recommended rivers.

Three years is not sufficient to develop the local, statewide, and political support needed to convince a member of Congress to introduce and secure passage of a Wild & Scenic River bill. Maintaining interim protection of suitable rivers until Congress does act is critical to the process.

If this is indeed a formal provision of 8351, we strongly recommend that it be reconsidered and withdrawn as national policy guidance. If the manual requires the

withdrawal of interim protection, we recommend that the draft RMPs/EISs consider the option provided in BLM Manual 8351.41(4) to "defer any such WSR recommendation until such time as public support is favorable to designation." Thus, interim protection would remain for eligible river segments until the political situation becomes more positive for designation.

12-7

Eagle Lake RMP Suitability Rationale

The Eagle Lake draft RMP/EIS only briefly justifies the decision not to recommend lower Smoke Creek, Willow Creek, and the Susan River. During the public comment period, we discovered that an extensive draft rationale narrative had been prepared but not included in the document. The draft rationale was made available upon request and it was promised that it would be included in the final RMP/EIS.

The suitability rationale document is critical to understanding the BLM's decision not to recommend lower Smoke Creek, Willow Creek, and the Susan River. The rationale document contains essential portions of the suitability study, including the critical "factors to consider" required by Sec. 4(a) of the Act and BLM Manual Sec. 8351.33A. The rationale document should be included in the final RMP/EIS with an additional opportunity for public review and comment before a ROD is signed.

12-8

Suitability rationale documentation for eligible rivers should also be included for public comment in the Alturas and Surprise final RMPs/EISs.

Eligibility Evaluations

The BLM Manual encourages a comprehensive eligibility evaluation of river and stream candidates. Section 8351.12.2 states, "All rivers which may have potential for wild and scenic river designation must be identified and evaluated. Care should be taken to avoid overlooking any river segment located on BLM-administered lands."

A comprehensive eligibility evaluation was apparently conducted for the draft Alturas RMP/EIS, which mentions the review of 21 streams (V.1, pg 3-60), and the draft Surprise RMP/EIS, which at least implies that 47 streams were reviewed (V.1, pg. 3-62). However, we could find no mention of the total number of streams evaluated for eligibility in the draft Eagle Lake RMP/EIS, which simply notes the four stream segments determined eligible.

12-9

Each draft RMP/EIS should, at the minimum, list every stream evaluated and why specific streams were rejected as ineligible (not free flowing, lack of outstanding values). This will assure the public that a comprehensive look at all candidate streams was accomplished, as required by both the BLM Manual and Section 5(d) of the Act.

Additional Outstanding Values

12-10 In its scoping comments, Friends of the River recommended that outstandingly remarkable fish, wildlife, and ecological values be considered for portions of Smoke Creek and Willow Creek. Willow Creek was identified as a potential Aquatic Diversity Management Area in the 1999 Sierra Nevada Ecosystem Project (SNEP) report in recognition of the need to protect native species and aquatic biodiversity. A master thesis documents possible unique gastropod species on Smoke Creek potentially found nowhere else. It is unknown whether these potential values were investigated and rejected or simply ignored. The final RMP/EIS should resolve this issue.

Summary

12-2 Friends of the River supports suitability recommendations for all eligible rivers and streams identified in the draft RMPs/EISs, including upper Smoke Creek, lower Smoke Creek, Willow Creek, Susan River, lower Pit River, upper Pit River, Horse Creek, and Twelve Mile Creek, and therefore supports the Ecosystem Restoration alternative for all three RMPs/EISs.

12-3 Although local governments should be consulted in the study process, their position concerning designation or non-designation should not be the sole or primary consideration in the BLM's suitability decision (as appears to be the case with all eligible streams in the Eagle Lake RMP except upper Smoke Creek).

Friends of the River cannot support the Eagle Lake RMP preferred alternative because it does not protect from future dam development nationally and regionally significant river resources that provide important outdoor recreation and tourism opportunities for Lassen County.

12-5 The suitability recommendation for Twelve Mile Creek should be clarified. Are other sections of the creek also recommended in other plans (as implied by the WSR Map) or is the 2.2 mile segment documented in the Surprise RMP/EIS the sole segment recommended?

12-7 If the withdrawal of interim protection for suitable segments if Congress fails to act after three years is indeed an actual provision of the BLM Manual, suitability recommendations for all eligible streams should be deferred and interim protection maintained until local support and politics improve.

12-9 Complete suitability rationales, including consideration of the critical "factors to consider" should be included in the final RMPs/EISs and a period allowed for public comment before RODs are signed.

12-9 To assure the public that a comprehensive review of potential candidate Wild & Scenic Rivers was conducted, each draft RMP/EIS should list every stream evaluated and why specific streams were rejected as ineligible.

12-10 Documentation that additional outstanding fish, wildlife, and/or ecological values for Smoke Creek and Willow Creek were considered should be included in the final Eagle Lake RMP/EIS.

12-11 Please keep Friends of the River on the mailing list to receive the final RMPs/EISs/RODs. Thank you for considering our comments.

Sincerely,

Steven L. Evans
Conservation Director

"Steve Evans" <sevans@friendsoftheriver.org>
07/26/2006 04:53 PM
To
<necarmp@ca.blm.gov>
cc

bcc

Subject
Additional comment from Friends of the River

Dear Ms. Noggles:

13-1 I just sent Friends of the River's comments concerning the Northeast California RMPs today. One of the issues raised in my comments were statements in the Alturas and Eagle Lake RMPs to the effect that interim protection for suitable rivers lapses after three years if Congress fails to act on the recommendation. I questioned the source and veracity of this statement and it turns out I was correct. I queried Paul Brink at the state office and he queried Gary Marsh. Below is Gary's answer. In short, interim protection of recommended river identified and found suitable in the 5(d) study process (the process used in the RMPs) does not lapse no matter how long Congress may take to act on a recommendation.

Please include this email in my comments.

Thank you

- Steve Evans, Friends of the River

Paul Brink
BLM California NLCS/Wilderness Coordinator
2800 Cottage Way, Sacramento Ca 95825
916-978-4641 (FAX 4657)
pbrink@ca.blm.gov

----- Forwarded by Paul Brink/CASO/CA/BLM/DOI on 07/26/2006 01:17 PM -----

Gary Marsh/WO/BLM/DOI 07/26/2006 01:01 PM		To Paul Brink/CASO/CA/BLM/DOI@BLM cc Jeff Jarvis/WO/BLM/DOI@BLM Subject voice

Paul

The 3 year clock is only for Section 5(a) WSRA study rivers which are withdrawn while under study and then after 3 years from when the Pres transmits to Congress the study results/recommendation, if no action is taken by Congress then the withdrawal expires.

Most study rivers in our RMP process are under Section 5(d)(1) having no withdrawal effects pursuant to Sec 7 or 9 of the WSRA, unless withdrawawn via separate PLO, and once identified as both eligible and suitable take Congressional action to remove them from suitable status from BLM. As you know eligible/nonsuitable segments may be released via the RMP/ROD by State

13-1 Directors; requiring no further action to submit to congress but are managed/protected as outlined in the RMP/ROD for values identified.

^~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~^
Gary G. Marsh
Deputy Division Chief
U.S. Department of the Interior
Bureau of Land Management
Recreation & Visitor Services Division
Send Mail UPS or Fed-Ex to:
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"For to whom much is given, of him shall be
much required." Luke 12.48b
^~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~^

7/26/2006

Surprise RMP Comments
Attn: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Dear Planning Coordinator

I would like to offer the following comments on the Draft RMP/EIS for the Surprise Field Office as a user of the public land managed by the Surprise Field Office.

Chapter 1

14-1 1.1 4th paragraph. This is a new RMP not an updated RMP.

1.2 The concept of supporting community needs is not well defined. The 2nd
14-2 sentence talks about large increase in requests for land tenure decisions and for land use permits and authorizations, but without specific information it is impossible to tell if this constitutes the identified "community needs". The existing MFPs support land tenure adjustments and ability to conduct renewable energy developments.

Additionally the concept of a need to provide low-impact recreation is also not well defined in terms of how those needs constitute changed circumstances that require a entirely new RMP.

14-3

The vegetation related concerns related to juniper invasion and exotic invasive plant species also seems to be handled under current management without a new RMP.

Thus the bottom line is the rationale for doing this RMP is weak.

1.4 This section is full of bulleted items that are not concerns and should be carefully reviewed to make sure that the concerns are actually concerns. Obvious
14-4 examples are the 2nd bullet in Issue Area 8, the 5th bullet in Issue Area 9 & the last bullet in Issue Area 12.

14-5 Issue Area 1. The term "ecosystem" is not defined and never used in the issue description.

Issue Area 6. There is no indication of the negative role of wildland fire in
14-6 the great basin ecosystem consistent with the concern raised in 1.2 related to increased cheatgrass and decline of sage-grouse.

14-7 Issue Area 11. The Noble[s] Trail does not exist in SFO.

Chapter 2.

Generally the range of alternatives is weak and the difference between
14-8 alternatives is often unclear, especially between alternatives 1 and 3.
14-9 Additionally in many cases the No Action alternative incorrectly describes the current MFPs.

14-10 No considering a No Livestock Grazing is in violation of the CEQ regulations to consider all reasonable. More on this later.

14-11 The maps associated with allocations in the text are not referenced in the text. So it is often unclear what the alternative discussion refers to.

The BLM Planning Handbook H-1601-1, Appendix C provided a description of
14-12 what RMP decisions are required by resource program, the Handbook also identifies Implementation decisions. The RMP alternatives with few exceptions fail to comply with the Appendix C requirements and in the cases where they do comply it is not clear what are RMP decisions and what are implementation
14-13 decisions. Virtually none of the objectives meet the requirement of S.M.A.R.T . objectives [Specific, Measurable, Achievable, and Results-focused and Timely] which is the standard measure for good objectives. While SMART objectives are not always possible, no objectives in the DRMP come close to meeting the SMART guidelines.

Examples of particular problems with the alternatives, but not a full list of all the problems in the chapter follow:

2.1 Air Quality

The goals and objectives attempt to meet the RMP requirement of “Identify
14-14 desired outcomes”. But the narrative in 2.1.5 does not describe any RMP decisions, this narrative is at best policy or poorly described implementation decisions.

2.2 Cultural Resources

14-15 This section fails the Appendix C requirement to “Identify special cultural resource restrictions that may affect the location, timing, or method of development or use of other resources in the planning area.” The description fails to disclose that the Cowhead/Massacre MFP had several of these

restrictions including those related to grazing in the North Hays Canyon Range and the Massacre Lakes cultural areas. 14-15

2.3 Energy and Minerals

Leaseables

14-16 The first item in common to all alternatives is not a decision but Chapter 3 statements. The rest of the section contains standard operating procedures not RMP or implementation decisions. 14-17

14-18 The description of the No Action alternative actually is the first place the existing land use plans are clearly and concisely described.

14-19 The 2nd paragraph in the description of all the other alternatives essentially negates the RMP level decisions contained in the first paragraph of each alternative by saying the RMP decisions we made above are subject to change. This is not consistent with the requirements of Appendix C. It makes the potential RMP decisions meaningless.

Saleables

14-20 The WSAs are closed. Therefore what areas and how many acres are open? The Appendix C requirement to identify terms and conditions or special considerations are not included.

2.4 Fire Management

Appendix C of the Planning Handbook H-1601-1 identifies the following requirements for Land Use Plan decision related to fire management.

1. Identify landscape-level fire management goals and objectives.

2. Identify wildland fire conditions.

3. Identify allowable uses and management actions to achieve goals and objectives, and support the goals and objectives for vegetation, wildlife and other resources.

4. Identify geographic areas that are suitable for wildland fire use.

5. Identify geographic areas where wildland fire use is not appropriate and where suppression action would be taken.

6. Identify the types of fuels management or vegetation management treatments that would be implemented.

7. Identification of restrictions on fire management practices needed to protect resources.

8. Establish landscape-scale fire management priorities or provide criteria that will guide more site-specific priorities at the fire management plan level.

In the RMP the goals section required by item 1 is a mix of goal and decision.
14-21 Under the Wildland Fire Management section the first sentence is close to a goal, but the 2nd sentence describes an action. In the Risk Mitigation and Education
14-22 section, again the 1st sentence is close to a goal statement, but the 2nd sentence describes actions and the 3rd sentence is some kind of rationale for the 1st sentence.

Under objectives, both sections are a mix of "kinda" objectives and management
14-23 actions. The last paragraph of the wildlife fire management section seems backwards. The RMP is supposed to provide guidance to the fire management plan not the other way around.

For the descriptions of alternatives, almost none of the items listed in 2 through 8
14-24 above are clearly discernable from the text and I was confused as to whether or not some of the language in 2.4.5 was in conflict with the other alternatives. For example, the 2nd bullet of 2.4.5 describes a modified suppression AMR, but the no action alt clearly describes full suppression.

14-25 Under 2.4.8 there is no map that shows the polygons described in the 2nd and 4th
14-26 bullets. The 3rd bullet describes a wildland fire use plan for the Massacre WSA
14-27 but it is not clear if that is intended to meet the requirements of item 4. the requirements of item 5 are not met.

14-28 Throughout there is little or nothing that meets the requirements of items 2 through 8.

14-29 Alternatives 2 and the Preferred when boiled down are essentially the same polygons.

I have not had time to compare the fire management, fuels, vegetation, wildlife
14-30 and cultural resources alternatives is detail but my brief overview indicate that the coordination required in items 3 and 7 is not in the RMP.

2.5 Forestry and 2.6 Fuels Management

14-31 The section fails to identify areas available for planned, sustained-yield timber harvest or special forest products if any. This would mean a designation of
↓

14-31 firewood harvest areas. The general discussion of fuel wood harvest areas does not meet the requirement to identify specific areas for forest product harvest.

14-32 Priority fuels management areas should be clearly designated and allocated.

2.7 Lands & Realty

14-33 The description of the No Action alt does not say anything. There were some actual decisions in the two existing MFPs and amendments that deal with lands and realty. They should be included in the narratives.

14-34 No map references in text.

2.8 Livestock Grazing

14-35 The opening page does not belong in Chapter 2. This information belongs in Chapter 3 and possible Chapter 4.

14-36 There are no alternatives at the RMP decision level. Clearly grazing less than all the allotments is a reasonable alternative given that 31% of evaluated areas are not meeting Land Health Standards, the goal and objective statements mention the need for sustainable grazing. This is a major flaw and is in violation of the CEQ regulations.

14-37 None of the alternatives meet the Appendix C requirement to identify both the existing and future anticipated amount of forage available for livestock. Nor is

14-38 the requirement of describing how "…public lands will be managed to become as productive as feasible for livestock grazing, including a description of possible grazing management practices….", fully complied with.

14-39 The last paragraph on 2-41 that identifies the allowable use of 40-60% utilization is not consistent with portions of several allotments in the existing MFPs.

2.9 Recreation

14-40 Since recreation was identified as a primary reason that a new RMP was needed, this is a key resource topic. However the Appendix C requirement to identify SMRAs has not been adequately met. Saying that SMRAs will be designated at some vaguely described location without map locations does not meet the requirements of the Handbook.

2.10 ACECs

14-41 It is appears that the minerals designations and the ACEC descriptions do not match.

0.14 Travel Management

14-42 The existing MFPs are clear on OHV designations but the No Action alternative fails to describe the existing situation.

0.15 VRM

14-43 Describe conditions as currently designated in existing MFPs and adopted in Atl. 1.

Chapter 4

14-44 Because the description of the alternatives have so many weaknesses, I did not conduct a review of the environmental consequences. However, one section did stand out for particular mention. The cumulative impact section does not even attempt to comply with BLM, CEQ or legal precedent requirements for adequacy. The failing of the cumulative analysis put the entire NEPA analysis in a position to legal challenge. There are three NORCAL BLM RMPs being considered at the same time but this section fails to even mention the other two RMP/EIS's.

Concluding Remarks

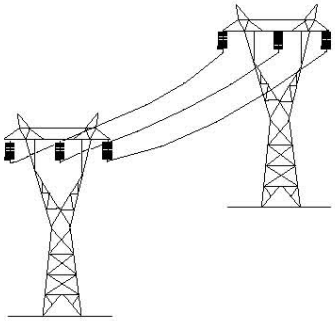
14-45 1 The Purpose and Need fail to demonstrate a need for a new RMP.
14-46 2 The Alternatives do not follow the requirements of the BLM Planning Handbook.
14-47 3 The Alternatives do not meet the requirements of a reasonable range of alternatives as required by the CEQ regulations.
14-48 4 The NEPA analysis is seriously flawed and is not consistent with BLM or CEQ requirements.

The RMP/EIS will take extensive revisions to correct the identified deficiencies. When revisions this extensive are made, a new DEIS or a Supplemental EIS should strongly be considered ensuring that the public has adequate opportunities to comment.

Sincerely

Roger Farschon
PO Box 218
Cedarville, CA96104

raf@farschon.org



TRANSMISSION AGENCY OF NORTHERN CALIFORNIA
P.O. Box 15129, Sacramento, CA 95851-0129 (916) 852-1673

July 21, 2006

VIA EMAIL AND U.S. MAIL

Surprise RMP Comments
Attention: Planning Coordinator
BLM Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

The Transmission Agency of Northern California (TANC) is pleased to submit its comments to the Alturas Field Office of the Bureau of Land Management regarding its Draft Resource Management Plan and Draft Environmental Impact Statement. If there are any questions with respect to these comments, please do not hesitate to contact me at (916) 852-1673.

Sincerely,

Bryan W. Griess
Assistant Executive Director

Enclosure

COMMENTS OF THE

TRANSMISSION AGENCY OF NORTHERN CALIFORNIA
ON THE U.S. BUREAU OF LAND MANAGEMENT
SURPRISE FIELD OFFICE'S
DRAFT RESOURCE MANAGEMENT PLAN AND
ENVIRONMENTAL IMPACT STATEMENT

The Transmission Agency of Northern California (TANC) is pleased to provide the U.S. Bureau of Land Management (BLM) with these written comments to the BLM Surprise Field Office's Draft Resource Management Plan and Environmental Impact Statement (DRMP/EIS), as published in February 2006. It is TANC's understanding, based on a separate review of Section 368 of the Energy Policy Act of 2005 that BLM, as the designated agency of the U.S. Department of the Interior, is to work with other designated U.S. Departments, including the Department of Energy (DOE), Department of Agriculture, and Department of Defense, to designate energy corridors, perform necessary environmental reviews and, ultimately, update relevant agency land use and resource management plans to reflect these decisions. With this directive in mind, TANC has reviewed BLM's DRMP/EIS in relation to the Energy Corridor PEIS and offers the following comments with regard to the manner in which the latter document is intended to affect the former.

BACKGROUND

TANC is a not-for-profit California joint exercise of powers agency that provides electric transmission facilities and services to its Members: the California Cities of Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, Palo Alto, Redding, Roseville, Santa Clara, and Ukiah; the Sacramento Municipal Utility District; the Modesto Irrigation District; and the Turlock Irrigation District. The Plumas-Sierra Rural Electric Cooperative is an associate member of TANC. TANC is the largest Participant in, and the Project Manager of, the California-Oregon Transmission Project (COTP), a $430 million, 339 mile, 500-kV transmission project extending from just north of the California-Oregon border to central California.

During the mid 1980s, TANC worked closely with many federal agencies to plan, design and construct the COTP. For the northern part of the COTP and its related facilities located in Modoc, Siskiyou, Shasta, and Lassen counties, TANC was the lead agent for the environmental studies, right-of-way acquisition and construction. TANC worked closely with the Department of Interior (DOI), Unites States Forest Service (USFS), United States Fish & Wildlife Service (USFWS) and BLM to ensure that the COTP corridor made its way from southern Oregon to northern California with the least possible impact on public lands and private property owners. From Shasta County to Tracy, TANC enjoyed a partnership with the Western Area Power Administration (Western), a branch of DOE, wherein an existing Western 230-kV transmission line was upgraded to 500-kV and interconnected with the new transmission segment from northern California. The relationship between TANC and Western continues today with Western performing day-to-day operation and maintenance on the entire COTP. Through partnerships like the development of the COTP, TANC and its public power members have always looked for creative approaches that can optimize the use of existing transmission corridors with the least amount of disturbance to the environment and landowners (public and private).

As California continues to grow, the need for additional power import capability over new high voltage transmission lines becomes essential. Additionally, California is one of the leading states in the nation in promoting the development of renewable resources. To that end, TANC has begun preliminary investigations for the development of a second high voltage transmission corridor to northern California that would be very similar to the existing COTP with one exception: rather than northerly routing to Oregon, the proposed corridor would turn east and cross the Sierra range into Nevada somewhere north of Lassen National Park. Again, an existing Western 230-kV line would be upgraded and interconnected to a new section of transmission line that would cross over into Northwestern Nevada. Such a line would provide California access to yet undeveloped wind and geothermal resources in the interior west.

On November 28, 2005, TANC submitted its initial comments to DOE during the scoping process for the Energy Corridor PEIS. These comments, attached hereto as Attachment 1, brought several potential energy corridors to the DOE's attention (these corridors were presented in several maps, which were referenced in and attached to the comments as Appendix A, which is included in Attachment 1), based on the belief that these corridors would fulfill the objectives of Section 368(d) of the Energy Policy Act of 2005. Section 368(d) lists considerations that ought to be made in determining energy corridor placement, namely the need for new/upgraded electric transmission and distribution facilities which will:

1. Improve reliability;
2. Relieve congestion; and
3. Enhance electric delivery capabilities of the national grid.

One such corridor, which TANC believes to meet each of these considerations, was generally identified between Northern California and Northern Nevada on an east-west basis. TANC believes that such a transmission project is critical to improving California's transmission infrastructure and will complement the development of renewable generation sources in northern Nevada, a geographic area that presents a rich potential for wind and geothermal energy. In relation to renewable generation development, it is important to note that these energy sources, such as wind and geothermal, must be developed at the location of the energy source, which may require significant transmission infrastructure to move renewable generation to load (which is not often located in close proximity to sources of renewable energy). To promote the development of clean, renewable energy sources, it is critical that necessary transmission corridors be established and, more importantly, preserved.

TANC's suggested east-west transmission corridor between northern California and northern Nevada, when coupled with related development of renewable generation, will create efficient markets for clean, renewable energy between California and Nevada and will augment California's energy supplies by allowing additional energy to flow

into the state at a northerly point other than the California-Oregon border. Efficient markets of this nature, based on well-planned infrastructure, will also foster competition within regional energy markets, theoretically leading to lower price points based on increased energy supplies/availability. TANC has not yet attempted to designate a specific corridor between northern California and northern Nevada. The routes indicated on the maps are very general and would likely be modified as TANC works with BLM and other local interest to minimize any corridor impacts. Some form of east-west corridor between northern California and northern Nevada will be necessary to ensure that energy supplies, particularly renewable energy supplies, from northern Nevada can enter markets in the state of California. Additional north-south transmission infrastructure, such as the existing Alturas Project line, will not accomplish this goal, as transfer capabilities in the north-south direction will be limited by on-going constraints at the California-Oregon border.

TANC understands that a key component of the DOE's energy corridor designation process and related PEIS development is the incorporation of designated corridors into appropriate resource management plans of the BLM, specifically local field offices, as well as similar resource/land use plans of other agencies. TANC has completed a review of the Surprise Field Office's DRMP/EIS, as the Surprise Field Office has local responsibility for portions of the geographic area adjacent, though not immediately, to TANC's proposed energy corridor.

SPECIFIC COMMENTS

The Surprise DRMP/EIS does not seem to provide considerable detail in discussing utility corridors or the need thereof. Within Chapter 3.14, Utilities, Transportation and Telecommunications, there is a brief sub-section, 3.14.1, Utilities, which identifies five power-line right-of-way corridors, only one of which has been developed, within the Surprise Field Office's management area. Sub-section 3.14.4: Trends and Forecasts also notes the increased focus on development of renewable energy resources on public lands and identifies concerns, such as "visual degradation and disruption of wildlife migration", with respect to wind energy right-of-way development.

TANC appreciates these concerns and realizes that energy corridor designation is and will be a contentious issue due to the myriad related environmental concerns. TANC also appreciates the need to balance the development of important energy infrastructure with consideration for the natural environment, as successful completion of one endeavor cannot come at the expense of the other. TANC looks forward to cooperating with the DOE during its evaluation of environmental impacts related to corridor designation and reasonable alternatives, as required by the National Environmental Policy Act (NEPA). TANC would also appreciate the opportunity to work with BLM's Surprise Field Office to discuss specific environmental concerns potentially affecting its management area. Through well-planned corridor selection and mitigation measures, designated corridors will balance the need to develop the West's deficient energy infrastructure with environmental sensitivities. In the end, strategically positioned energy corridors will certainly encourage the development of clean, renewable energy sources, a lasting benefit to the environment.

TANC was encouraged to read that Lassen County, a portion of which is subsumed in Surprise's management area and through which a portion of TANC's suggested transmission corridor would be located, has expressed its interest in furthering the development and transmission of renewable energy sources through the Lassen Municipal Utility District's Resolution No. 2005-20. This resolution identifies certain lands in Lassen County as the "Lassen Energy Zone", an area that has been specifically identified for use in developing "green and clean" energy projects and necessary related transmission. Local decisions, such as these, further support the consideration of TANC's suggested east-west transmission corridor during the corridor designation process. While TANC has not specifically reviewed public positions taken by other local governments through which its suggested transmission corridor would be located, it is likely that these local governments have similar, supportive positions with respect to the development of renewable generation and related transmission needs.

TANC is also strongly encouraged that Congress included Section 368 in the Energy Policy Act of 2005. TANC agrees that there is a need to designate corridors for electric transmission facilities across federal lands. We believe that the DOE's preliminary designation of energy corridors is a critical step required to begin improving electric reliability, improving transmission congestion, enhancing the capability of the national electric grid, and providing for the further development of a western North American competitive wholesale market. TANC also believes that incorporating designated energy corridors in BLM's DRMP/EIS documents is an important aspect in ensuring the long-term success and preservation of energy corridors as well as necessary development in the West's energy infrastructure.

In Attachment 1 to these comments, Appendix A includes several important corridor designations as identified in DOE's Western Regional Corridor Study (1986). Of particular interest to the Surprise Field Office will be those energy corridors identified in northern California. These corridors, even today, represent critical paths that can serve to interconnect developing generation resources to areas of significant load growth.

TANC is concerned that the description of the *Preferred Alternative* (Sub-Section 2.15.9) for Section 2.15: Utilities, Transportation, and Telecommunications specifically notes that "No additional corridors would be designated." This approach does not seem to accommodate the goals of Section 368 of the Energy Policy Act of 2005, which directs the aforementioned U.S. Departments, including the BLM, to designate energy corridors, perform necessary environmental reviews and, ultimately, update relevant agency land use and resource management plans to reflect these decisions. TANC appreciates the Surprise Field Office's desire to maintain the "primitive character" of its management area but encourages Surprise to recognize the long-term needs of California's deficient energy infrastructure, which will require additions and upgrades over time. While infrastructure development may not directly affect the Surprise management area, TANC believes that it is important for the Surprise Field Office to maintain an objective approach when evaluating the needs of California's energy infrastructure in light of concerns specific to the natural environment.

As mentioned above, one of the problems plaguing the electrical system in the Western United States is transmission congestion. There are several locations or "paths" within the grid where additional transfers of electricity cannot occur because of congestion. A major path for providing electrical energy transfers between California and the Pacific Northwest is at the California-Oregon Border (COB). At key times, these transmission facilities are fully loaded and no additional energy is able to flow into California along this path. While TANC is actively pursing a 300 MW upgrade of these facilities, additional, new transmission facilities are needed to allow for increased imports to California; which is why TANC continues to strongly advocate an east-west transmission corridor between California-Nevada and beyond.

Unfortunately, existing north-south right-of-ways, such as the Alturas Transmission Project, **will not** provide any benefit to the growing energy requirements of California because of congestion. In fact, it is highly unlikely that additional electric transmission facilities would be added within this corridor because of the current congestion occurring at the COB and the inability to get additional electricity to flow into California from this path. It is critical that new electric transmission be added to the western grid that increases the reliability of the electrical grid, relieves congestions, and promotes the development of additional generation resources. TANC believes that this can best be accomplished with a new east-west transmission corridor between northern California and northern Nevada (and potentially beyond to Idaho/Wyoming) that interconnects to the California grid south of COB, avoiding the congestion at COB.

CONCLUSION

TANC appreciates this opportunity to comment on the Surprise Field Office's draft Resource Management Plan and Environmental Impact Statement. TANC believes that it is critical for the Surprise Field Office to make the following modifications/ enhancements to this document:

15-1

15-2

15-3

1. Recognize the need for and expand your support of the development of renewable (wind and geothermal) energy sources;
2. Recognize the need for and support the designation of an east-west energy corridor between Northern California and Nevada; and
3. Specifically emphasize support for the objectives of Section 368(d) of the Energy Policy Act of 2005 of developing energy corridors that: 1) improve reliability; 2) relieve congestion; and 3) enhance electric delivery capabilities of the national grid. Such as would be accomplished with the east-west corridor discussed in these comments.

Pierre A. Hascheff, Chtd

A Professional Corporation

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April 22, 2007

email/Certified Mail
Surprise RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Surprise Field Office
602 Cressler St.
Cedarville, California 96104

Client:	Bright-Holland Co.
Subject:	Surprise BLM EIS
File:	48651.015

Please be advised my office represents various real estate holding companies namely Duck Lake Ranch, Duck Flat Ranch, Home Camp Land & Livestock, S.J. Ranch and White Pine Ranch (collectively the "Companies"). The Companies are significant land holders in the areas subject to the draft Resources Management Plan ("RMP") and draft Environmental Impact Statement ("EIS") for the Eagle Lake and Surprise planning area. The Companies property affected by the Eagle Lake RMP and EIS consists of approximately 20,000 acres and the Companies property subject to the Surprise RMP and EIS consists of approximately 54,000 acres for a total of 74,000 acres. The concerns are as follows:

16-1 1. WSA. The Companies own property within the Wall Canyon Wilderness Study Area ("WSA"). The WSA should not prohibit or restrict a private landowner from obtaining a right of way on public lands. The planning document in part confirms no visual impact specifically in Class I areas and the planning document is unclear as to whether pipelines, access roads, utility lines, and infrastructure will be impaired or jeopardized as a result of the WSA. If this is not the case, an expression of this intent should be incorporated by reference into the planning document. Use of private or public lands outside the Wilderness Areas should not be restricted because of the property's proximity to the Wilderness Area.

16-2 2. Grazing Allotment. The Companies retain the three allotments namely the Duck Lake, Bull Creek and Massacre Mountain grazing allotments. (See maps enclosed) The RMP and EIS should not affect the BLM grazing allotments adjacent to the Companies private properties. The Companies respectfully requests these grazing entitlements remain in place without restrictions or changes to the livestock currently allowed, otherwise, there will be adverse impacts on the private lands owned by Companies.

16-3 3. Duck Lake CRMA. The Surprise Draft RMP/Draft EIS proposes the creation of the Duck Flat Cultural Resource Management Area (CRMA). This CRMA would be comprised of an 88,325-acre area surrounding a large in-holding of private land, much of which is owned or controlled by the Companies. The RMP states that the issuance of rights-of-way, leases and permits that result in ground-disturbing activities could directly affect cultural resources, but the RMP goes on to say that these impacts would be mitigated under standard avoidance or recovery procedures (p. 4-11). The Preferred Alternative states that the designation of two cultural resources management areas (including the Duck Flat CRMA) would offer a proactive approach to managing cultural resources (p. 4-17), but it provides no information on how this management could affect neighboring private lands.

The Companies are concerned that rights-of-way needed for surface access, pipeline and utility corridors both on public and private lands through the proposed CRMA may be prohibited by the

subsequent cultural resource management plan to be prepared for the CRMA. The restrictions placed on public land for the CRMA may limit existing or future uses on the neighboring Companies properties or they may impede access or utility rights of way through the CRMA to or from these private properties. Companies are concerned the BLM may be taking the position through this planning document that it will not issue rights of ways in Wilderness Areas and/or ACEC areas. The right to obtain right of way permits should be included by express authority in the planning document. We request the BLM expressly provide in the RMP for ingress and egress and pipeline and utility corridors through the CRMA, ACEC and WSAs without additional restriction.

16-3

4. Water Resources. There are significant water resources that may be affected by this RMP, particularly as they affect Tuledad Creek, Wall Canyon Creek, Lost Creek and some of the other streams that drain into the Duck Flat. The RMP and EIS should be revised to reflect Companies priority and vested rights to its water resources. All private land owners should not be prohibited, for example, from transporting its water from its property through public lands. The planning document should include a statement confirming in all of the proposed ACECs that right of way permits may be issued without additional restrictions.

16-4

These are just a few of the concerns given the Companies significant property holdings in the planning area and we believe all of those concerns can be addressed with revisions to the planning document. There may be other land use conflicts with the Companies property and the RMP should remain flexible and allow for potential future amendments to the plan on a case-by-case basis to prevent restricting future uses on neighboring properties or fringe areas. Specifically, the existing wilderness study areas are managed with a visual resource management designation of Class I, requiring protection of scenic quality and other restrictions. If the existing wilderness study areas receive a wilderness classification, the visual resource management designation of Class I will remain, however, those restrictions should not impair existing or future uses on neighboring properties or future uses. We are concerned if a standard is adopted by the BLM, which in effect, provides visual changes may be seen but should not attract the attention of the casual observer, this provision may prohibit or impair the Companies existing entitlements or future ability to access its property for personal and/or development purposes and/or obtain BLM right of way permits. Accordingly, flexibility in the management plan is critical.

16-5

16-1

The RMP and EIS and resulting designations and classifications should not impair or otherwise interfere with the existing entitlements or the ability to obtain rights of way from the BLM in the planning area.

16-1

The Companies request the right to supplement these comments and receive notice of any future developments and would also request a meeting with the BLM to resolve these concerns.

16-6

As always, should you have any questions, please feel free to contact my office.

Very truly yours,

Pierre A. Hascheff, Chtd

By: ***Pierre Hascheff***

PAH:njc
Enclosure
copy to: Todd/Sam Jaksick

PACIFICORP
A MIDAMERICAN ENERGY HOLDINGS COMPANY

825 NE Multnomah
Portland, Oregon 97232

July 26, 2006

Surprise RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Re: Comments on the Draft Resource Management Plan and Environmental Impact Statement for the Surprise Field Office

To Planning Coordinator:

PacifiCorp appreciates the opportunity to provide comments on the draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS) for the Surprise Field Office. We want to ensure that the Bureau of Land Management (BLM) understands the issues that could potentially impact a Utility that has Rights of Way on federal land and that these issues are considered when you finalize the EIS and RMP for Surprise. We are interested in making sure that the revisions to the RMP provide us with the ability to maintain existing facilities, upgrade and/or expand existing facilities; and locate new facilities as needed. Our comments on the draft RMP are found on the enclosed table.

We have also compiled a comprehensive map of PacifiCorp's T&D lines in the RMP Planning Areas for Alturas, Eagle Lake, and Surprise and are transmitting the following information to you on the enclosed CD for your review and consideration:

- A map of PacifiCorp's T&D lines in and near the BLM Planning Areas as well as geographic information system (GIS) data shapefiles of PacifiCorp facilities. The data are deemed Business Confidential Information and are for internal use only. It should be noted that the proposed future corridors depicted on the map simply connect two end points of energy resource areas and areas of energy demand. We did not apply engineering design or environmental analysis when developing these options.

- A document titled "Electric Transmission and Distribution Line (Power Line) Maintenance Activities." We have prepared this document so that federal and state land managers will have a better understanding of PacifiCorp's needs for access on public lands.

Pacificorp has long recognized the need to develop business practices, both on public and private lands, which are in harmony with valid and appropriate land use requirements. We are confident that our record of stewardship on BLM lands and our comments concerning the Draft RMP and EIS will allow BLM to produce a final RMP that offers suitable protections to the

variety of issues affecting the planning area while accommodating both existing and future PacifiCorp facilities used to provide critical electric services to the people of California and throughout the west.

If you have any questions on the comments, please feel free to contact Jessica Valenti in PacifiCorp's Portland office. Jessica can be reached at 503-813-6234.

Sincerely,

Katherine Hill
Real Estate Manager (Interim)

Enclosures

PacifiCorp Comments on the DRAFT Environmental Impact Statement (EIS)
For the Surprise Resource Management Plan (RMP)

Reference	Description of Issue	Suggested Revision/Action
General		
Energy Development	As part of their strategic goals, BLM and the Forest Service must help meet energy resource needs. The draft revised RMPs and Forest Plans reviewed to date by PacifiCorp appear to under-emphasize the energy development needs of electrical generation and transmission.	As a general matter, PacifiCorp believes that the EIS and RMP should better emphasize and promote issues related to electrical energy development.
Sustainable Development	PacifiCorp is aware that many federal land management agencies, including the BLM and the Forest Service, have issued policy statements in regard to sustainable development concepts, which includes provision for renewable energy resources. For example, see the joint federal agency explanation of this concept entitled "*Sustainable Development and its Influence on Mining Operations on Federal Lands*" dated April 2002. In the context of resource planning, this document describes sustainable development as addressing social, economic and environmental interests. This is consistent with PacifiCorp's own vision of sustainability as reflected in our environmental and other policies.	PacifiCorp urges the BLM to use these principles and this terminology when evaluating alternatives.
Transmission Corridors	On August 8, 2005, President Bush signed into law the first National Energy Plan in more than a decade. The Plan provides for the designation of "Energy Corridors" in 11 western states, which, in turn, will be incorporated into various RMPs/Forest Management Plans in those states. The enactment of the Energy Corridor requirement emphasizes the importance of proper transmission corridor planning at the western regional and local RMP/Forest Plan levels.	PacifiCorp recommends that the BLM take active steps to work with stakeholders at the federal, state, and local level to expand the concept of federal Energy Corridors to state-wide utility corridors that include state and local government lands. In addition to addressing existing energy needs, the establishment of state-wide utility corridors must take into consideration reasonable foreseeable development. Engaging electrical utilities and state land management agencies in the transmission corridor planning process will improve communication and avoid unnecessary delays in the country's efforts to meet current and future demands for electricity.

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Reference	Description of Issue	Suggested Revision/Action
Transmission Corridors	In November 2005, PacifiCorp prepared and submitted a map to the Department of Energy of proposed future West-Wide energy corridors as part of the West-Wide Energy Corridor Programmatic Environmental Impact Statement (PEIS). These corridors were submitted in response to a DOE and DOI Notice of Intent to prepare the West-Wide Energy Corridor PEIS as directed by Section 368 of the Energy Policy Act of 2005. PacifiCorp also submitted GIS data and maps of our current transmission line locations in the area to BLM.	PacifiCorp recommends that the BLM designate areas that are currently occupied by electric transmission lines as energy corridors.
Lands and Realty		
Guidelines for ROW Clearance	PacifiCorp has concerns about locating utility ROW adjacent to existing facilities.	PacifiCorp recommends that the EIS and final RMP include guidelines for ROW clearance. For transmission lines we recommend a ROW width of at least 100 feet; for distribution lines we recommend a ROW width of at least 50 feet.
ROW Incompatibility	PacifiCorp has concerns about the placement of ROW facilities adjacent to each other if any potential issues with safety or incompatibility or resource conflicts have been identified. Activities generally excluded from transmission (high voltage) utility corridors include mining, materials storage and disposal, range and wildlife habitat improvements involving facility construction, non-linear energy project development, blasting, excavation, and high profile (tall) facility development.	The RMP should include a specific provision stating that ROW facilities will not be placed adjacent to each other if issues with safety or incompatibility or resource conflicts are identified. The Western Electric Coordinating Council (WECC), a regional coordinating council for western utility groups, also supports it. It is not always possible for multiple electrical lines to be located in the same ROW corridor and still maintain adequate separation from other lines or utilities (such as gas pipelines). All utilities must be placed so as to meet reliability and safety standards, particularly with an eye toward reducing the risk of losing all lines due to a common disaster (lighting strike, earthquake, etc.) within a single corridor. WECC recommends that that interconnected transmission systems should be planned to avoid excessive cascading outages with the loss of any two-transmission circuits in a common corridor.
ROW Incompatibility	PacifiCorp has concerns about the potential for conflict and overlap when a new ROW is added to a utility corridor.	To avoid conflicts and overlaps, BLM should adopt procedures that require all existing entities to be notified when there are plans for an applicant to install a new ROW in a utility corridor to be sure the uses do not conflict with each other.

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	Reference	Description of Issue	Suggested Revision/Action
17-7	Access Under Emergency Situations	In an electrical emergency situation, PacifiCorp must be able to enter onto and conduct repairs or adjustments within a right-of-way area governed by a ROW Grant.	The RMP should include the definition of an Electrical Emergency Condition. As defined in PacifiCorp's ROW grants with the BLM, an "Electrical Emergency Condition" is a condition or situation that is imminently likely to endanger life or property or that is imminently likely to cause a material adverse effect on the security of, or damage to, PacifiCorp's electrical system.
17-8	Existing Rights	PacifiCorp has secured ROW easements, authorizations or rights, and all necessary or customary ingress and egress to its structures and facilities throughout the RMPPA boundary for construction, operation and maintenance of these facilities. The planning effort should recognize valid existing rights.	PacifiCorp's existing rights must be recognized and maintained. PacifiCorp will work with the BLM to ensure these rights are maintained. It should also be noted that PacifiCorp rights are existing within lands identified for possible disposal. The company requests that we be notified if lands are planned for disposal.
	Energy & Minerals		
17-9	Executive Summary, Utilities, Transportation, & Telecommunications	The RMP states that the development of new utility corridors would not be allowed, except where needed for BLM management and upgrade.	As stated in the 2005 Energy Policy Act, public lands must provide for needed energy corridors to support the country's growing energy needs. PacifiCorp requests that a blanket statement disallowing any additional corridor development be replaced with a statement allowing for corridor development when regional energy needs require it.
17-10	Chapter 2 – Alternatives Section 2.3 – Energy and Minerals Section 2.3.2	Section 2.3.2 "Legislative, Regulatory, and Policy Direction" makes reference to the 2001 President's National Energy Policy.	PacifiCorp requests that the RMP be updated to reflect the most current National Energy Policy Act signed in 2005.
17-10	Section 4.3.3	RMP states, "This RMP would recognize and conform to the National Energy Policy (National Energy Policy Development Group 2001)..."	PacifiCorp requests that the RMP be updated to reflect the most current National Energy Policy Act signed in 2005, and include new regulations stating that public lands must provide for energy corridors.

	Reference	Description of Issue	Suggested Revision/Action
	Off-Highway Vehicle Management		
17-11	Access	It is unclear whether PacifiCorp's use of Off-Highway Vehicles (OHV's) to maintain power transmission and distribution lines is expressly authorized or otherwise officially approved.	PacifiCorp must be allowed access to inspect or repair its structures and facilities without vehicle access restrictions. In most situations this will be accomplished by a 4-wheel drive service truck or an all terrain vehicle (ATV). If repairs are necessary, the use of a high range boom truck may be required. These vehicles will use existing roads and trails but in some cases, the use of overland travel may be required. The definition of administrative tasks should be expanded to include power delivery operation and maintenance (O&M) activities and include emergency actions necessary to restore power.
17-11	Access	Areas proposed for closure to OHV use will prevent PacifiCorp from being able to access PacifiCorp's transmission and distribution lines and poles.	PacifiCorp must have access to its transmission and distribution lines via mechanized vehicles for routine operation and maintenance, emergency situations (power outages), and for conducting line patrols. Our employees need to be able to do emergency work anywhere it is necessary, at any time. Access via over-the-snow vehicles is also necessary in the winter months. PacifiCorp employees would use existing roads and vehicle routes in these areas and minimize the amount of necessary over land travel. Off road vehicular travel for "necessary tasks" should be allowed in all non-WSAs for line maintenance and construction purposes.
	Utilities, Transportation, & Telecommunications		
17-6	Alternative 3, Section 2.15.8	RMP states, "Development of corridors would be maximized within existing corridors…"	PacifiCorp asks that the RMP recognize that it is not always possible for multiple electrical lines to be located in the same ROW corridor and still maintain adequate separation from other lines or utilities (such as gas pipelines). All utilities must be placed so as to meet reliability and safety standards, particularly with an eye toward reducing the risk of losing all lines due to a common disaster (lighting strike, earthquake, etc.) within a single corridor. WECC recommends that that interconnected transmission systems should be planned to avoid excessive cascading outages with the loss of any two-transmission circuits in a common corridor.

Reference	Description of Issue	Suggested Revision/Action
Transportation and Access		
Designation of Utility Corridors for Existing ROW Routes	Existing major utility ROW routes must be designated as utility corridors in the RMP/Forest Plan.	PacifiCorp is providing the BLM with maps of our existing transmission and distribution systems for inclusion in the RMP. BLM should identify these ROWs as designated utility corridors.
Visual Resource Management (VRM)		
Impact of VRM Reclassifications on Existing Facilities	By the nature of its business, PacifiCorp constructs large and highly visible electrical transmission towers, power generating stations, support roads, and other facilities. To some segments of the population, such facilities may be considered as impairing the quality of scenic (visual) values. PacifiCorp generally supports using VRM tools to manage visual values within the planning area. Our support, however, is offered within the context that the placement of certain electrical facilities within the area is both necessary and consistent with the multiple use concepts embodied within the RMP.	The designation of visual buffer zones for a minimum distance of three miles on either side of all major travel routes or the classification of a VRM as Class II or Class III should not require modification of existing facilities or structures, relocation of existing facilities or structures, or a substantial change to existing utility corridors or reasonably foreseeable future facilities.
Wildlife and Fisheries		
Guidelines for Protection of Sensitive Biological Resources	Timing and spatial stipulations for sensitive biological resources should be regarded as guidelines only and not as definitive dates and distances. A one-size fits all approach puts an undo burden on the applicant.	Although PacifiCorp understands the need for developing guidelines to protect sensitive biological receptors, site and project specific information must be taken into consideration. The Agency should present the conditions for controlling surface disturbing and disruptive activities as guidelines, not as mandates.

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SIERRA CLUB CALIFORNIA/NEVADA REGIONAL WILDERNESS COMMITTEE

July 27, 2006

Surprise RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
2950 Riverside Drive
Susanville, CA 96130

Re: Comments on Surprise field office Draft Resource Management Plan, Cedarville, California

Dear Planning Coordinator:

The Sierra Club's California/Nevada Regional Wilderness Committee, representing the Sierra Club's nearly 200,000 members in California and Nevada, (who include many public lands visitors and activists) has long taken a keen interest in management of our public lands. Knowledgeable Californians enormously appreciate the undisturbed, wild, and little-visited aspects of the public lands in northeast California and northwest Nevada. Their remoteness from urban population concentrations augments their value. We have enjoyed memorable trips to both the Massacre Rim and the Wall Canyon Wilderness Study Areas, and the consequent familiarity with those two areas may give these comments a more particular focus on these WSAs than on other areas.

I am writing on behalf of our committee, and, personally, as a citizen activist interested in public lands, especially wild lands.
,:
Because our chief interest is in preserving lands with wilderness quality, our comments principally address issues relevant to WSAs However, ACECs and other relevant tools for protecting lands are of interest as well.

Vehicle Use in Wilderness Study Areas
According to the DRMP "OHV use within the Massacre Rim, Sheldon Contiguous, South Warner Contiguous and Wall Canyon WSAs would be 'limited to designated routes.'"

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We have a concern over which routes are designated, and whether any designation of routes is appropriate at all in these WSAs.

FLPMA, Sec 603 (c) states: "During the period of review of such areas and until Congress has determined otherwise, the Secretary shall continue to manage such lands according to his authority …in a manner *so as not to impair the suitability of such areas for preservation as wilderness…"* (our emphasis)

WSAs are to be managed in accordance with the Interim Management Policy (IMP) For Lands under Wilderness Review so as to protect their wilderness values. This IMP requires WSA management in accordance with the nonimpairment standard, because within a WSA preservation of wilderness values is paramount. The IMP clearly prohibits new motorized routes and also allows for *restriction of existing routes*. Thus,

even designated routes that existed at the time of WSA establishment should be reviewed regularly to determine if resource damage or other considerations call for restrictions on motorized routes, including "limited" use stipulation that may be seasonal or may limit such use as licensed to permittees and other specified users, or to BLM administrative use only. .

BLM must keep in mind that WSAs were established *for* their wilderness qualities, and "closed" is the preferable prescription for vehicle routes inside WSAs Route designation within WSAs detracts from wilderness values and fails to comply with the definition of untrammeled (which is commonly considered to mean unmanipulated or uncontrolled and is defined in the IMP as unconfined, unrestrained or unimpeded). Designated routes within WSAs are likely to increase erosion, degrade water quality, encourage spread of invasive exotic plants, and fragment wildlife habitat, which latter could threaten sensitive and potentially listed species, such as the Wall Canyon Sucker in Wall Canyon WSA

Impacts from designated routes within a WSA could impair an area's wilderness values so far as to take away Congress's prerogative regarding whether or not to designate the area as wilderness. Such impacts (even if theoretically able to be physically restored) would surely unfairly multiply the political difficulties to promoting protective legislation.

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Clearly, BLM has a minimum responsibility to limit vehicular traffic in WSAs to a level no greater than that which existed at the time of designation. If the BLM continues to give the nod to designated routes within the WSA, how will BLM monitor and repair impacts, and take steps to avoid or control cumulative impacts? How will BLM prevent additional impacts caused by the mere fact that such routes are shown on maps, leading to further use (and thus impacts)? The draft RMP fails to address such considerations, or to provide assurances of non-impairment of wilderness character.

Although we are convinced that designating routes within WSAs is inconsistent with the intent of Congress, as stated in the Wilderness Act, and in FLPMA and the BLM's own management guidelines of the IMP, we would like to suggest, (long with Friends of Nevada Wilderness).that BLM adopt one of the following prescriptions:

1. Designate all WSAs as "closed, with the exception of existing routes and ways" – meaning only those routes that existed at the time the WSA was designated; or
2. Designate the routes you prefer to keep open to vehicle traffic as "temporary routes" to underscore the temporary nature of the routes and the designations. Currently, your proposal to designate routes in WSAs confers on them the same status as any other designated route in the district. Clearly, there should be a difference in status between routes within and outside of WSAs. A "temporary" label could help in public recognition, acceptance, and generally assuage our concerns.

In either case, we caution against giving vehicle travel routes in WSAs the title of "roads", whether they are designated or not, because the BLM's own definition road implies a constructed, permanent, maintained and gradedfacility, which conflicts directly with the intent of the Wilderness Act, FLPMA and the IMP.

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We thank the BLM for recommended closure of routes identified on map TRAV-1; we support such action. It is also consistent with the IMP nonimpairment mandate. We urge the BLM to also recommend closure of all routes that were not in existence when

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18-3 the WSAs were designated and the initial inventory maps made. For the Massacre Rim and Wall Canyon WSAs, we note that the maps in the Sept. 2000 "Nevada Wilderness Study Area Notebook" show only minimal small vehicle routes entering these WSAs for
18-4 a short distance. BLM's decisions for any route designations within WSAs should be documented via maps and/or photos from the time of designation.

Where illegal routes within a WSA are identified, BLM should make every possible
18-5 effort to restore and rehabilitate these. Our committee worked with BLM on several restoration field trips to restore and rehabilitate illegal routes in certain WSAs (mainly in Eagle Lake lands) that had come into existence since the initial inventory. We urge BLM to continue this kind of rehabilitation process in case any new routes become established illegally and to help prevent their proliferation or extension.

Inventory of Lands with wilderness characteristics:

We urge BLM to include in its final plan a commitment to maintain an ongoing
18-6 inventory of lands to determine their wilderness qualifications, according to Secs 201 and 202 of FLPMA. We support such inventory analysis for non-WSA lands as described in the DRMP's Appendix I (which should be incorporated into the final RMP). We thank BLM for the commitment (in Appendix I) to manage protectively non-WSA lands that have been identified to contain wilderness characteristics.

18-7 Throughout the planning process, BLM should include protection of lands with wilderness characteristics in the RMPs management alternatives. To ensure that wilderness values receive adequate emphasis as a critical aspect of preparation of the
18-6 RMP, BLM must inventory for lands with wilderness characteristics (including those lands identified by citizens and proposed by Citizens' groups for wilderness protection).

Areas released from WSA status:

Should Congress choose to release any areas from WSA status, we recommend that the
18-8 Surprise RMP provide some specific measures for their continued protective management. In particular, VRM classification, ORV-route designation, and energy and mineral designations should receive consideration with a strong focus on the need to apply protective measures

Areas of Critical ENVIRONMENTAL concern (ACECs)

We thank BLM for proposing designation of three ACECs with a combined size of nearly 48,000 acres; we are happy to support such protective designations. We recommend
18-9 that no vehicle route rights-of-way be allowed in any of these three, especially pointing to the Massacre and Rahilly-Gravelly proposals, which could be subjected to rights of way. All three proposed ACECs, the above two plus Bitner, should be closed to new rights-of-way.

We also note that the ACECs recommended in your Preferred Alternative cover just under 5 percent of the area of the Surprise Field Office lands. This is considerably smaller than it should be to adequately preserve these landscapes and natural values.
18-10 Your final RMP should significantly expand acreage of the recommended ACECs, or recommend additional ACECs. One way to do this is to carefully consider and analyze an area nominated in scoping comments by outside organizations (including Sierra Club), the South Warner WSA aspen groves. This areas definitely deserves protection.

18-10 If BLM cannot so recommend, then at the minimum, provide better documentation and rationale for non-recommendation.

Another, specfically focused way to augment ACEC acreage , which we recommend, is to establish an ACEC designed to protect sage-grouse and sagebrush ecosystems. The Surprise field office manages a vast extent of sagebrush ecosystems that provide
18-11 excellent habitat for the sage grouse, a BLM species of special concern. The DRMP does not provide adequate protectin for thisz species. Additional protection given by such an ACEC would be complimentary to current conservation efforts and would also help BLM fulfill the FLPMA requirement to "give priority to the designation and protection of areas of critical environmental concern [ACECs]."

Wild & Scenic River System:

The Surprise DRMP finds eligible a small segment of Twelvemile Creek in Nevada. The
18-12 language used in the document is ambiguous, and we are not certain whether the DRMP is actually recommending the creek or not. Please clarify and we ask that the
18-13 final plan recommend Wild & Scenic status for any and all creeks and rivers identified as eligible in the draft plan. In addition, we urge that Wall Creek, which was not
18-14 considered as eligible in the DRMP, be reconsidered in the final plan and recommended for W&S status. If not recommended in the final plan, please provide better documentation for lack of consideration and non-recommendation.

Potential Fees:

Finally, should BLM in its Resource Management processes consider the establishment of a fee structure for visitors to the public lands, pursuant to the 20004 Federal Lands Recreation Enhancement Act, we recommend and urge against any such imposition. The Sierra Club is strongly opposed to fees for public lands access. The unpopular Federal Lands Recreation Enhancement Act, maneuvered through Congress via riders and without open debate, is complex, misunderstood, and overt double taxation. It discriminates against lower income Americans, and if implemented, the fee collection
18-15 processes will create a lot of burdensome extra work for limited, already-overworked BLM staff. BLM is authorized, but not required, to implement a fee system. Further, fee programs often rely on concessioners to collect fees and run infrastructure; this, combined with the money, is a significant and disturbing step toward privatizing the management of public lands. The monies collected will hardly make up for the antagonism and hostility of the public, who rightfully should be regarded as the "owners" of the lands, not "customers" to be purchasing a "service" allegedly provided by the land managers. Access must continue to be free, except for special permitted events, and of course for use of developed sites such as campgrounds. Modest fees for these developed sites are normal and accepted. But access to and use of these public lands, traditionally free to the public, should remain so. A fee structure undesirably commercializes the public lands experience. It changes the connection between BLM employees and members of the public from that of land "owners" relating to the land stewards who are managing their lands for them, to one of "customers" being "charged" for a "service" "provided" by the land agency. Thank you for keeping our public lands public

Congress has shown that as land managers bring in fee monies, it will further reduce appropriated funds, thus forcing land managers to rely more and more on fees, ever more desperately trying to increase infrastructure to be able to charge higher fees. This

18-15 is not the way public lands should be managed; it is a *lose-lose* situation. The best thing BLM can do is to judiciously ignore the RAT (Recreation Access Tax) as the Federal Lands Recreation Enhancement Act is commonly known.

Thank you for considering the comments made here on the Surprise Draft RMP. Sierra Club wilderness volunteers in California and Nevada look forward to working with your office in future to maintain the wilderness character of the wild lands managed by the Surprise field office and to help restore wilderness character where feasible. Please keep us informed of your management actions and proposals and any future opportunities for public involvement, including service projects.

Sincerely,

Vicky Hoover, Sierra Club
Chair, California/Nevada Regional Wilderness Committee
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California Wild Legacy Project

July 31, 2006

Alturas, Eagle Lake and Surprise Draft RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Re: Draft Resource Management Plans and Associated Draft Environmental Impact Statements for the Eagle Lake Field Office, Alturas Field Office and Surprise Field Office

Dear Planning Coordinator:

Thank you for the opportunity to comment on the above referenced documents.

Since 1935, The Wilderness Society (TWS) has worked to preserve America's wildlands to ensure that future generations will enjoy, as we do today, the clean air and water, wildlife, beauty, and opportunities for recreation and renewal that pristine forests, rivers, deserts, and mountains provide. TWS has 250,000 members nationwide and 35,000 in California. TWS has a long history of interest and involvement in the protection and stewardship of lands administered by the Bureau of Land Management (BLM).

The California Wilderness Coalition (CWC) is a nonprofit public benefit corporation organized under the laws of the State of California in 1976 and composed of 200 conservation organizations and businesses and over 5,000 individual members. The CWC is based in Oakland and it has field offices in Riverside, Arcata and Redding. Through advocacy and public education, CWC builds support for the protection of wild places, primarily those managed by the state or federal governments. The CWC has a long history of involvement in northeastern California's BLM holdings.

Natural Resources Defense Council (NRDC) is a national, non-profit environmental advocacy organization with over 1.2 million members and online activists nationwide, more than 257,000 of whom live in California. NRDC has long sought to improve the management and current conditions of the public lands under the jurisdiction of the Bureau of Land Management, including in particular the public lands in California.

Defenders of Wildlife ("Defenders") is a national, non-profit wildlife advocacy organization whose mission is the protection of all native, wild plants and animals in their natural

communities. It has 490,000 members and supporters nationwide, 100,000 of which are in California.

The California Wilderness Legacy Project works to promote the conservation of natural resources and the wilderness character of California's public lands and encourages their careful stewardship.

Our comments on the respective draft Resource Management Plans and Environmental Impact Statements are as follows:

Livestock Grazing – see comments under other headings.

Recreation Opportunity Spectrum – see comments under other headings.

Areas of Critical Environmental Concern

BLM has not fully met its obligation to prioritize designation and protection of Areas of Critical Environmental Concern (ACEC).

We appreciate and strongly support BLM's proposal to create 16 new ACECs in the three Field Office areas. This is an important step toward the protection of the unique, diverse, and irreplaceable natural and cultural resources found on BLM managed lands in this region. The proposals to establish the Mount Dome, Old Growth Juniper, Timbered Crater and Mountain Peaks ACECs are particularly praiseworthy in that they reflect careful and creative thinking on the BLM's part to identify sites that are infrequently visited by the public and perhaps even by agency staff. The proposal to establish the Willow Creek ACEC is also very commendable given the growing threat to its outstanding cultural, ecological and recreational values posed by various impoundment proposals.

However, the recommended ACECs represent only a fraction of the lands managed by BLM in the three Field Offices, Alturas, 6 percent, Eagle Lake, 12 percent, and Surprise, 4 percent, and it is insufficient to provide for the necessary protection of the landscapes and attendant resources meeting the criteria for designation as an ACEC.

Five areas in two Field Offices, Pit River, Lava, Beaver Creek and Juniper Creek in the and Aspen Groves in the Eagle Lake Field Office were considered but not recommended in the preferred alternative. Two proposed ACECs in the Draft RMP/EIS for the Alturas Field Office, Emigrant Trails and Likely Tablelands/Yankee Jim/Fitzhugh Creek were dramatically reduced in acreage.

An analysis was not provided supporting the conclusion not to designate the five ACECs and to significantly downsize the two others. BLM's ACEC manual (1613) specifically requires that each area recommended for consideration as an ACEC, including from external nominations, be considered by BLM, thorough collection of data on relevance and importance, evaluation by an interdisciplinary team and then, if they are not to be designated, the analysis supporting the conclusion "must be incorporated into the plan and associated environmental document."

19-1 ***Recommendation:*** Provide the data and analysis supporting the decision not to designate the five ACECs and to downsize two others. Reconsider their designation in light of the data (which clearly demonstrates that they meet the ACEC criteria).

A number of areas were recommended for consideration as ACECs in a scoping letter provided by the CWC, Sierra Club and Defenders of Wildlife. We appreciate the consideration of a number of these areas for ACEC designation. However, some of the recommended areas were not considered (e.g., Alturas – Tule Mountain WSA aspen groves, Eagle Lake RMP – corridor along Skedaddle Creek, Surprise RMP – South Warner WSA aspen groves). The Draft RMP/EIS documents state that the Field Offices "analyzed all of these areas thoroughly, and the results are listed in the Preferred Alternative." In actuality, no analysis was provided for some of the areas suggested for consideration.

19-2 ***Recommendation:*** Include a complete analysis of all the external nominations and consider them for ACEC designation.

The Federal Land Management Policy Act (FLPMA), Sec.202 [43 U.S.C. 1712] (c) (3) requires BLM to give priority to the designation and protection of areas of critical environmental concern and Sec.202 [43 U.S.C. 1712] (c) (6) requires the BLM to "consider the relative scarcity of the values involved and the availability of alternative means and sites for realization of those values." It is clear from our assessment and the analysis provided in these documents that each of the areas and acreages considered for designation as an ACEC in the respective documents contain important and scarce values without alternative means and sites for realization of those values. The BLM has a legal obligation to prioritize their protection.

19-3 ***Recommendation:*** Designate the ACECs as proposed in Alternative 2 of the Draft Alturas RMP/EIS, including four additional ACECs and two larger ACECs and the Aspen Groves ACEC in Alternatives 1 and 3 of the Eagle Lake Draft RMP/EIS.

We commend the significant steps that were taken to develop ACEC management prescriptions to protect the areas considered for designation. However, there are some significant exceptions for some of the recommended areas and management categories (see discussion for individual Field Offices in following sections).

In the preferred alternative for grazing, the majority of the proposed and considered ACECs remain open with few, if any, restrictions, notwithstanding the documented and acknowledged adverse impacts to cultural and natural resources.

19-4 ***Recommendation:*** The BLM adopt the grazing prescriptions in Alternative 2 as the preferred alternatives and include additional modifications of current grazing practices in the final alternative to protect the sensitive resources found in the areas considered for designation as ACECs. Management prescriptions for ACECs should include mandatory rest from grazing and exclusion of livestock to improve conditions around springs, and along streambanks and lake shores. The final alternative should also incorporate free use grazing permits in place of traditional lease agreements where maximum management flexibility is needed and the primary purpose of allowing grazing is where it has been determined to be beneficial under certain circumstances.

The Alturas, Eagle Lake and Surprise Field Offices contain important and relevant sagebrush ecosystems and species including the greater sage-grouse, a BLM species of special concern which was petitioned for listing. Sagebrush ecosystems, sage-grouse and other obligate sagebrush species have declined from historic levels due to frequent fire resulting from cheat grass infestations, juniper encroachment and other factors. It is clear that they need special management attention. We commend the BLM for collaborating in the development and implementation of conservation strategies for the sage-grouse and sagebrush ecosystems. The

designation of one or more ACECs is appropriate in the context of BLM's legal obligations and it would compliment and support the conservation strategies.

19-5 ***Recommendation:*** BLM designate one or more sage-grouse, sagebrush ACECs and incorporate these areas into the conservation strategy (see specific comments below).

Given the tremendous diversity and importance of the natural and cultural resources in the Field Office areas, their vulnerability, and their need for special management attention, we ask that the BLM give serious consideration to the inclusion of additional ACECs and management prescriptions as outlined here and in the following sections.

1. Alturas Field Office RMP

There is one existing ACEC: the Ash Valley ACEC. The DEIS/RMP considers ten possible new ACECs, recommending six in the preferred alternative. Pit River, Lava, Beaver Creek, and Juniper Creek are not included in the preferred alternative even though they have highly significant resource values which clearly meet the relevance and importance criteria and need special management attention. In addition, two of the recommended ACECs have been reduced substantially in size, resulting in insufficient protection and management attention for these areas and their resources. An ACEC is to be as large as is necessary to protect the important and relevant values – Manual 1613, Section .22.B.2 (Size of area to receive special management attention). The Draft RMP/EIS does not provide and does not incorporate an analysis supporting the conclusion not to designate four ACECs and to significantly downsize two others as required in BLM's ACEC Manual (1613). We agree with the BLM's recognition of the outstanding resources found in the proposed Pit River, Lava, Beaver Creek and Juniper Creek ACECs and the larger Emigrant Trails and Likely Tablelands\Yankee Jim\Fitzhugh Creek ACECs, and their relevance and importance. In light of the recognition of these resources and their values, BLM has a legal obligation to designate them as ACECs and to ensure that they are of sufficient size to protect their special values.

Generally, the preferred alternative recommends management prescriptions which provide for the protection of the values of the proposed ACECs. We are pleased with the proposed right-of-way closure, visual resource management (VRM) protection levels, restrictions and closures to energy and mineral entry, and the fire management designations of Appropriate Management Response (AMR) and in one case (Tule Mountain) Wildfire Use (WFU).

19-6 ***Recommendation:*** Close Pit River and Lava proposed ACECs to locatable mineral entry and Beaver and Juniper Creek proposed ACECs to leaseable, saleable, and locatable mineral entry.

19-7 ***Recommendation:*** We encourage the BLM to incorporate wildfire use to the maximum extent possible.

We commend the Alturas Field Office for limiting OHV use to designated routes in some of the proposed ACECs. However, this should be the case for all ACECs where OHV use is allowed.

19-8 ***Recommendation:*** We ask that the BLM adopt an alternative for all the ACECs in the Alturas Field Office which limits OHV use to designated routes versus existing routes where OHV use is allowed and that the BLM close redundant and damaging routes.

The section of the DEIS describing impacts, p 4-138, states that lands with ACEC potential have been adversely affected by livestock grazing for years; some are exhibiting a steady decline in resource quality and health, yet each of the recommended ACECs is open to grazing with only limited restrictions in two areas. Impacts to specific species and habitats are also articulated in Chapter 4, Affected Environment and Appendix E.

19-9 ***Recommendation:*** Take affirmative action in each of the ACECs to avoid or minimize these resource impacts including closing the ACEC to grazing or by restricting its use. Again, we note that the ACECs comprise a very small subset of the larger are of BLM managed lands and that the priority for management prescriptions for these areas should be resource protection.

a. Ash Valley ACEC

19-10 ***Recommendation:*** Given the significant and fragile resources found in Ash Valley, we ask that Alternative 2 for grazing and OHV us be adopted for this area.

b. Pit River ACEC

The Pit River ACEC would be designated under Alternatives 1 and 2. Given its unique and outstanding scenic resources, historic values (including many prehistoric and historic sites that are potentially eligible for the National Register of Historic Places), and critical habitat for wildlife (including wintering populations of deer, and pronghorn, and high densities of cliff nesting birds of prey), and its need for special management attention, this area merits designation as an ACEC. After all, it is for these reasons that BLM recommended to the Secretary of the Interior in 1990 that the area be designated as wilderness by Congress.

19-11 ***Recommendation:*** We request that the final alternative designate Pit River as an ACEC.

As noted in the Draft RMP/EIS, "there are prehistoric sites within the ACEC associated with lithics, artifacts, middens, and emigrant trails. Minor to major adverse effects (depending on the location, extent, and nature of the site) would occur from livestock grazing on individual sites. Livestock grazing--with associated trampling and erosion—would continue to affect the stratigraphy, juxtaposition, and physical integrity of archaeological sites and artifacts."

19-12 ***Recommendation:*** We ask that measures be taken to protect this area from the damaging effects of grazing, including consideration of adopting an alterative that would close it to grazing, with the possible exception of allowing limited grazing under circumstances where it had demonstratively beneficial effects. At a minimum, the limitation of grazing to every third year, Alternative 2, should be adopted as the preferred alternative.

c. Lava ACEC

The proposed Lava ACEC (Alternatives 1 and 2) contains outstanding natural, cultural and scenic values. Its undeveloped character, unique geology, including sensitive cave resources, high scenic values, sensitive plant and animal species, including their critical habitats – such as vernal pools and shallow pit reservoirs, pristine historic resources, including the Baker Toll road, Lockhart Wagon road and segments of the National Historic Lassen Emigrant Trail, clearly meet the relevance and importance criteria. It is also significant that the lava flows are of special significance to the Pit River Tribe.

The proposed Lava ACEC's ecological and cultural values need special management attention as is articulated in Appendix E. What is not mentioned in the Appendix is that at least once over the last decade the BLM has had to close unauthorized vehicle routes in the WSA to reduce incidences of illegal dumping and the vandalism of caves. We are puzzled as to why the Appendix states on page A-57 that the BLM recommended the WSA as suitable for wilderness when the agency's *California Statewide Wilderness Study Report*, Part 4, Volume 2, page 2 of Lava CA-030-203 clearly states that all 10,770 acres are recommended for "non-wilderness" status. Indeed, the BLM's State of California Wilderness Status Map clearly shows that the Lava WSA was not given a preliminary suitable recommendation. These points are important because they demonstrate that the WSA is not as protected as the Draft RMP would have the public believe, and it would therefore greatly benefit from the additional safeguards provided by ACEC designation.

19-13 ***Recommendation:*** Lava clearly merits designation as an ACEC. We request that the final alternative designate it as such.

The ACEC contains sensitive plants, uncommon plant associations and fragile habitats (e.g. vernal pools) that are impacted by cattle grazing.

19-14 ***Recommendation:*** We ask that measures be incorporated in the final alternative that will provide increased protections to these species, communities and habitats. At a minimum grazing Alternative 2 should be adopted with the flexibility to add additional measures as necessary.

d. Emigrant Trails ACEC

We agree with the BLM's recognition of the important values of this area. In light of the recognition of these resources, BLM has a legal obligation to designate an ACEC of sufficient size and to include adequate management prescriptions to protect the areas special values. Alternative 2 provides the necessary acreage and necessary management prescriptions.

19-15 ***Recommendation:*** Adopt ACEC Alternative 2 as the preferred alternative, designating the 9,924 acre Emigrant Trails ACEC.

e. Juniper Creek ACEC

As is noted in the Draft EIS/RMP, Appendix E, the proposed Juniper Creek ACEC contains a high density and variety of archaeological sites with a significant time depth and is important to wildlife, providing bald eagles with a roost site, and pronghorn antelope with critical winter range. Its riparian habitat is also important to both wildlife and people. Juniper Creek clearly merits ACEC designation.

19-16 ***Recommendation:*** Adopt ACEC Alternative 2 as the preferred alternative, designating Juniper Creek ACEC.

19-17 ***Recommendation:*** Adopt grazing management Alternative 2, which would close the ACEC to grazing, to protect archaeological sites, the riparian area and other wildlife habitat.

f. Timbered Crater ACEC

We strongly support the designation of the 17,896 acre ACEC and we support the preferred alternative's management prescriptions, with the exception of OHV use. It is not clear why the preferred alternative recommends OHV use, limited to designated routes, within the proposed ACEC given that it is a Wilderness Study Area closed to vehicles. *This area should remain closed to vehicles.*

19-18 ***Recommendation:*** Designate the 17,896 acre Timbered Crater ACEC.

19-19 ***Recommendation:*** Adopt OHV management Alternative 2 as the preferred alternative, maintaining the vehicle closure.

g. Beaver Creek ACEC

As noted in Appendix E, Beaver Creek contains a locus of fragile and irreplaceable archaeological sites which are important to the Native American community and which provide an important opportunity to understand early human occupations. It also contains a riparian area that is critical for the survival of wildlife and unique plant assemblages. It clearly merits designation as an ACEC.

19-20 ***Recommendation:*** Adopt ACEC Alternative 2 as the preferred alternative, designating Beaver Creek ACEC.

19-21 ***Recommendation:*** In order to protect the important archaeological and historic sites, riparian area and unique plant assemblages found in the Beaver Creek area, we ask that grazing management Alternative 2, closing the area to grazing, be adopted as the preferred alternative.

h. Likely Tablelands/Yankee Jim/Fitzhugh Creek ACEC

Under Alternative 2, a new 27,435 acre Likely Tablelands/Yankee Jim/Fitzhugh Creek ACEC would be designated to protect extensive prehistoric sites (including large and important rock art sites, task-specific sites and occupation sites) , the historic Yankee Jim ranch homestead, perennial Fitzhugh Creek and the associated riparian area (providing important forage and water for wildlife), lush wet meadows (including a locally rare fen meadow near the ranch house), springs, scenic values, critical deer winter range, antelope fawning/kidding grounds, and sage grouse habitat. By contrast, the preferred alternative designates "only the 1,400 acre Yankee Jim portion of the proposed ACEC."

The DEIS/RMP acknowledges the unique and important resources of this entire area. We agree with its assessment. Designation of the 1,400 acre Yankee Jim portion of the area would provide needed protections to important archaeological resources; however, protecting only this portion of the area is not sufficient. Again we point to Manual 1613, Section .22.B.2. The high value, vulnerability and acknowledged special management needs of the larger Likely Tablelands/Yankee Jim/Fitzhugh area call for its designation as an ACEC.

19-22 ***Recommendation:*** We strongly recommend BLM adopt Alternative 2 as the preferred alternative, and that it designate the entire 27,435 acre area as an ACEC.

As stated in Appendix E of the Draft RMP/EIS, "there are at least 6 different riparian plant associations in the Yankee Jim area" and "the presence of the fen meadow is unique for the Alturas Field Office, as only a few are present on public lands. The large concentration of wetland plants includes both obligate and facultative wetland species." In addition, as noted in the document, there are a number of prehistoric sites including NRHP eligible sites. As the document notes, these resources are vulnerable to damage from livestock grazing. It is essential that restrictions be enacted to protect them.

19-23 ***Recommendation***: At a minimum, grazing management Alternative 2, implementing an exclusion area on 3,200 acres and limiting grazing to every one year in three, should be adopted as the preferred alternative.

i. Mount Dome ACEC

We appreciate the BLM's recognition of the important resources in this area including sensitive plants, native grasses and critical bald eagle roosting sites. Mount Dome is a striking visual feature that can be seen from very far away. Along with the Medicine Lake Highlands and Mount Shasta it is one of the defining landmarks of northeastern Siskiyou County. Though small, it also offers visitors an opportunity for solitude in what is otherwise an excessively roaded region.

Recommendation: We support designating the 1,510 acre ACEC.

19-24 With the exception of OHV use and grazing, we support the preferred alternative's management prescriptions. While we have concerns about the impacts of grazing on the perennial bunchgrasses growing on the lower slopes of the mountain, we appreciate BLM's commitment to establish monitoring plots to determine if there are impacts to this important plant community.

19-25 ***Recommendation:*** Adopt grazing management Alternative 2, limiting grazing to one of every three years and make a commitment to take additional steps if impacts are detected.

j. Old Growth Juniper ACEC

As is stated above, we commend the BLM for the creativity and ecological awareness it took to conceive of and propose this ACEC.

19-26 ***Recommendations:*** We support the proposed designation of this ACEC. We support the proposed management prescriptions with the exception of grazing. We ask that Alternative 2, restricting grazing to one of every three years be adopted as the preferred alternative.

2. Eagle Lake Field Office

We support the proposed designation of seven ACECs totaling more than 89,000 acres and appreciate that the proposed ACECs include many of the areas recommended in the scoping comments provided by CWC et al. (see specific recommendations below). We believe that the Aspen Groves ACEC, considered in Alternative 2 but not included in the preferred alternative, should be designated. It meets the relevance and importance criteria and needs special management attention (see detailed comments below). Again, we point to the relative small percentage of the lands managed by the BLM that have been recommended for ACEC designation, the unique resources of this area, and FLMPA Sec.202 [43 U.S.C. 1712] (c) (3)

which requires BLM to give priority to the designation and protection of areas of critical environmental concern.

The ACEC along Skedaddle Creek recommended in the scoping letter from CWC et al. was apparently not considered in the Draft RMP/EIS. As noted earlier, BLM's ACEC Manual (1613) specifically requires that each area recommended as an ACEC, including from external nominations, be considered by BLM, including collection of data on relevance and importance and an analysis supporting the conclusion if the area is not designated.

19-27 ***Recommendation:*** Conduct an analysis of the proposed Skedaddle Creek ACEC and consider alternatives, including ACEC designation and develop appropriate management prescriptions.

We commend the BLM for either closing proposed ACECs to OHV use or limiting use to designated routes and for designating the majority of the proposed ACECs as right-of-way avoidance areas without exceptions.

We are pleased that no surface occupancy is allowed for leaseable minerals in six of the proposed ACECs and that the proposed Eagle Lake ACEC is closed to leaseable minerals. We are very concerned that three of the proposed ACECs remain open to saleable minerals and two to locatable minerals in the preferred alternative. The ACEC Manual explicitly recognizes mineral withdrawal as an appropriate management prescription for protecting ACEC values. 1613, Section .33.C (Provision for Special Management Attention). See our specific recommendations below.

We are concerned that all of the proposed ACECs, with exception of Pine Dunes and Susan River remain open to grazing with limited exceptions.

19-28 ***Recommendation:*** We ask the BLM adopt the grazing Alternative 2 as the preferred alternative where it would limit grazing to one year out of three.

19-29 ***Recommendation:*** We encourage the BLM to adopt AMR as the fire management prescription where the preferred alternative is currently Full Suppression (FS) to provide maximum flexibility now and in the future.

Since the vast majority of the planning area is open to energy and mineral development, OHV use, grazing, and rights-of-way, it is not only important but also reasonable for BLM to adopt substantive protections for the areas that BLM has recognized as having relevant important and vulnerable resources.

a. Pine Dunes ACEC

19-30 ***Recommendations:*** 1) We support the recommended designation of this ACEC. 2) We request that AMR be adopted as the fire management prescription.

b. Susan River ACEC

19-31 ***Recommendations:*** We support the recommended designation of this ACEC. We recommend that AMR be adopted as the fire management prescription.

c. Willow Creek ACEC

As is stated above, the proposal to establish the Willow Creek ACEC is very commendable given the growing threat to its outstanding cultural, ecological and recreational values posed by various impoundment proposals.

19-32 ***Recommendation:*** Designate the Willow Creek ACEC

Willow Creek contains an important riparian area, crucial wildlife habitat and significant cultural values that are vulnerable to the impacts of grazing. Restrictions on grazing are needed to protect these values.

19-33 ***Recommendation:*** Adopt grazing management Alternative 2 as the preferred alternative, limiting grazing to one in every three years.

None of the alternatives presented for rights-of-way closes Willow Creek to potential future dam building or water diversions. A dam or water diversion would have substantial adverse impacts to the resources of this area.

19-34 ***Recommendation:*** We request that an alternative be considered that closes Willow Creek to these types of uses.

19-35 ***Recommendation:*** We recommend that AMR be adopted as the fire management prescription.

d. Lower Smoke Creek ACEC

19-36 ***Recommendation:*** Designate Lower Smoke Creek ACEC.

Current grazing practices could affect the recovery of the riparian area and impact the Nobles Emigrant Trail.

19-37 ***Recommendation:*** We ask that grazing Alternative 2, limiting grazing to one in every three years, be adopted as the preferred alternative.

The designation and subsequent development of one or more rights-of-way would cause significant adverse impacts to the resources of Lower Smoke Creek ACEC. None of the alternatives presented for rights-of-way closes Willow Creek entirely to rights-of-way.

19-38 ***Recommendation:*** An alternative should be considered that closes Lower Smoke Creek to rights-of-way.

e. Eagle Lake Basin ACEC

19-39 ***Recommendation:*** We support the recommended designation of this ACEC to protect the outstanding values of the Eagle Lake Basin.

As the Draft RMP/EIS notes, p. A-59, Eagle Lake is highly scenic and a one-of-a-kind natural resource. "Eagle Lake is a closed basin and is susceptible to adverse impacts to water quality from actions within the basin that could add nutrients and accelerate the lake's eutrophication."

We appreciate the grazing restrictions incorporated in the 1991 Eagle Lake Basin Plan. However, given the unique values of this area including its endemic fishery we believe additional measures are needed to minimize the effects of grazing.

19-40 ***Recommendation:*** Adopt grazing management Alternative 2 as the preferred alternative, limiting grazing to one in every three years.

We are very concerned that the preferred alternative would leave the Eagle Lake Basin open to saleable minerals.

19-41 ***Recommendation:*** Given the acknowledged scenic, fragile and unique ecological value of this area, Alternative 2, closing the Eagle Lake Basin to saleable minerals should be adopted as the preferred alternative.

19-42 ***Recommendation:*** To allow maximum flexibility to respond to current site conditions including vegetation and weather, we ask that AMR be adopted as the fire management prescription.

f. North Dry Valley ACEC

19-43 ***Recommendation:*** We support the recommended designation of this ACEC.

North Dry Valley contains significant cultural sites, pronghorn winter range, unique plant assemblages and species and rare soil types which are vulnerable to erosion from livestock.

19-44 ***Recommendation:*** It is imperative that additional measures be taken to limit livestock use. At a minimum, Alternative 2, limited grazing to one in every three years should be adopted as the preferred alternative.

Given the unique nature of this area including rare soils, plants and plant assemblages, we are very concerned that the preferred alternative allows saleable and locatable mineral entry in this area, even with restrictions. These types of activities, even with limitations, could cause irreparable damage to important resources. Again we want to emphasize that the vast majority of the planning area is open to energy and mineral development, and that achieving proper balance means providing for the protection of important areas.

19-45 ***Recommendation:*** We ask that saleable and locatable mineral management Alternative 2, closing the ACEC to those uses, be adopted as the preferred alternative.

We support the preferred alternative limiting OHV use to designated routes and strongly encourage BLM to close any routes causing damage to the resource.

g. Buffalo Creek Canyon ACEC

19-46 ***Recommendation:*** We support the recommended designation of this ACEC.

The unique historic, scenic and natural values of this area are vulnerable to impacts from grazing.

19-47 ***Recommendation:*** Adopt grazing management Alternative 2, limiting grazing to one in every three years.

Again, as with North Dry Valley and the Eagle Lake Basin, no saleable or locatable mineral entry should be allowed in the ACEC.

19-48 ***Recommendation:*** Adopt Alternative 2 closing the area to saleable minerals and we recommend that alternative be added and adopted closing the area to locatable minerals.

h. Aspen Groves ACEC

We recommend the designation of this area as an ACEC. The Draft RMP/EIS, p. A 54-56, describes the relevance and importance of these lands which would comprise this ACEC and their need for special management attention – for example the Draft RMP states, "More recent changes in grazing patterns that provide for rest have not resulted in rapid recovery in the stands because of the highly competitive invasive understory species." As noted previously, BLM's ACEC Manual (1613) specifically requires that each area recommended for consideration as an ACEC, including from external nominations, be considered by BLM, thorough collection of data on relevance and importance, evaluation by an interdisciplinary team and then, if they are not to be designated, the analysis supporting the conclusion "must be incorporated into the plan and associated environmental document." The Draft RMP/EIS does not provide this. In fact, the information provided only documents the BLM's legal obligation to designate this ACEC.

19-49 ***Recommendations:*** 1) Designate Aspen Groves ACEC and close this ACEC to leaseable, saleable and locatable mineral entry.

3. Surprise Field Office

We support the proposed designation of three ACECs encompassing 47, 748 acres. We are concerned about the potential to allow rights-of-way in two of the ACECs, Massacre and Rahilly-Gravelly, "if there are no other options," Draft RMP/EIS p. 2-63. Given that the majority of the more than one million acres of land managed by the BLM in the Field Office area is open to rights-of-way, the ACECs should be closed to new rights-of-way (see specific comments below). We are also concerned that some of the proposed ACECs are open to saleable and or locatable mineral entry in the preferred alternative (see specific comments below).

The Surprise Field Office contains important sagebrush steppe ecosystems including greater sage-grouse habitat and populations. We ask that in the final version of the RMP the preferred alternative include a proposal to designate one or more ACECs to protect these resources (see additional comments below).

a. Massacre ACEC

We support the proposed designation of this ACEC. Given the important resources found in the proposed ACEC, including sagebrush plant communities and archaeological sites, and the fact that the majority of the over one million acres of BLM land is open to rights-of-way, we request that Alternative 2 for rights-of-way, excluding their development, be adopted as the preferred alternative. Given the importance of the three sagebrush communities to obligate sage scrub species, including the greater sage-grouse, and the acknowledged need for careful management to preserve proper conditions for sage-grouse, we disagree with the conclusion that this resource is "not unusually fragile, sensitive, rare, irreplaceable, exemplary, unique, endangered,

threatened, or vulnerable to adverse change" and that it does not meet the importance criteria. While we appreciate that management measures have been put in place to mitigate the impacts from grazing in this area, these areas are vulnerable to change. The apparent loss of historic sage-grouse leks underscores that vulnerability.

19-50 ***Recommendations:*** 1) Designate the 44,870 acre Massacre ACEC, 2) Develop and implement specific grazing prescriptions for the ACEC, and 3) To protect sagebrush steppe and sage-grouse, adopt Alternative 2, closing the ACEC to locatable mineral entry.

b. Bitner ACEC

19-51 ***Recommendation:*** Designate the Bitner ACEC to protect cultural sites, rare and unusual plant assemblages, the Badger Creek riparian area and other unique values.

We commend the BLM for excluding rights-of-way from this important area.

19-52 ***Recommendation:*** We strongly recommend the adoption of Alternative 2 closing the Bitner ACEC to locatable mineral entry to protect its irreplaceable and important natural and cultural values.

c. Rahilly – Gravelly ACEC

19-53 ***Recommendation:*** We support the proposed designation of this ACEC.

The high concentration of greater sage-grouse leks in this area and the high density of significant prehistoric and historic cultural resources of this area are of great importance and vulnerable to ground disturbance. Saleable and locatable mineral entry is incompatible with the preservation of these resources and would cause significant adverse effects.

19-54 ***Recommendation:*** We strongly request the consideration and adoption of an alternative that will close the Rahilly – Gravelly ACEC to saleable and mineral entry.

Allowing rights-of-way through this area would also cause unacceptable impacts to these resources.

19-55 ***Recommendation:*** We ask that an alternative be considered and adopted that excludes rights-of-way from this area.

4. Sagebrush Steppe and Greater Sage-grouse ACECs

The Alturas, Eagle Lake and Surprise Field Offices contain vast and significant sagebrush ecosystems and sagebrush species including greater sage-grouse and pygmy rabbit populations. Sagebrush habitats and greater sage-grouse populations have declined from historic levels in the west including areas managed by BLM in the Alturas, Eagle Lake, and Surprise Field Offices. As a result of these declines and a petition for listing of the greater sage-grouse the entities responsible for sage grouse management have given this species and sagebrush habitats special management attention. We wish to acknowledge the tremendous cooperative effort to develop a conservation strategy for the sage-grouse and sagebrush ecosystems by BLM, California Department of Fish and Game, Nevada Department of Wildlife (NDOW), Lassen County, the

livestock industry, the Northeast Resource Advisory Council and other interested parties and institutions.

We believe the establishment of one or more ACECs to protect sage-grouse and sagebrush ecosystems would be complimentary to current conservation efforts and as we previously stated, FLPMA obligates the BLM to "give priority to the designation and protection of areas of critical environmental concern [ACECs]." 43 U.S.C. § 1712(c)(3). ACECs are areas "where special management is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes." 43 U.S.C. § 1702(a)

Clearly, the greater sage-grouse populations and the sagebrush ecosystems in the Field Office planning areas are both relevant and important and there are areas which need special management attention. There is a particular need for management intervention in lower elevation sagebrush areas with significant infestations of cheat grass and other exotic plants. Junipers have encroached into sagebrush ecosystems causing the loss of understory vegetation and the presence of cheat grass has increased the intensity and frequency of wildfires leading to the loss of sagebrush habitat. Cheat grass infestations have also caused a reduction in native forbs and grasses – necessary food sources for sage grouse and other obligate sagebrush ecosystem species.

Given BLM's obligations, the relevance and importance of this resource, the need for special management attention in specific areas, and the potential conservation value of designating ACECs for the greater sage-grouse and sagebrush ecosystems we ask that such a new alternative be considered and adopted. Specifically we recommend the following areas be designated:

a. Eagle Lake RMP - Chalk Bluff/Smoke Creek/Mud Flat Complex ACEC

This portion of the Buffalo-Skedaddle Population Management Unit (PMU) east of Highway 395 and in the general vicinity of the Skedaddle, Dry Valley Rim, Five Springs and Twin Peaks WSAs and the Shinn Ranch, contains the most robust population of greater sage-grouse in California. However, this population and the sagebrush ecosystem on which it depends are vulnerable to potential extirpation and requires special management attention. Unlike higher elevation areas in the Surprise Field Office, this area is quite vulnerable, containing lower elevation sagebrush which could be eliminated or substantially degraded due to frequent fire resulting from cheat grass infestations. Wild horses also pose a threat to sagebrush habitats and sage-grouse populations in this area.

19-56 ***Recommendations:*** Establish an ACEC in this area using the following criteria:

- Historic and active leks.
- Tall sagebrush wintering areas and low sagebrush foraging areas
- Suitable and potentially suitable nesting habitat (sagebrush shrubs associated with tall grass cover and areas that could be restored to this condition).
- Wet meadow and riparian habitats in association with nesting habitat for raising broods.
- Sagebrush habitat needing restoration including cheat grass control.

b. Alturas RMP

19-57 ***Recommendation:*** Consider the establishment of one or more ACECs to protect sage-grouse and sagebrush ecosystems in the including the Likely Tables PMU.

c. Management Prescriptions

19-58 ***Recommendation:*** Develop management prescriptions for the sage-grouse/sagebrush ACECs to protect sage-grouse, other obligate sage scrub species and sagebrush ecosystems using *A Blueprint for Sage-grouse Conservation and Recovery,* Dr. Clait E. Braun, a recognized expert in sage-grouse and their habitat. We have **attached** a copy of these recommendations and incorporate them herein by reference. Also see additional comments under the heading: Sage-grouse Protections and Oil and Gas Development).

Wild and Scenic Rivers

BLM managed lands within the Alturas, Eagle Lake and Surprise Field Office areas contain a number of unique river segments, each containing outstandingly remarkable values. Often, as with the Susan River, they contain multiple values and recreational opportunities that are significant both to local residents and their economy but also to the people of California and the Nation as well. The angling, rafting, hiking, historic discovery, sightseeing and wildlife viewing these rivers provide must be protected for future generations.

1. Alturas Field Office RMP

a. Lower Pit River

19-59 ***Recommendation:*** We support the BLM's findings and its proposal recommending the designation of 2.5 miles of the Lower Pit River as 'scenic' under the Wild and Scenic Rivers Act.

b. Upper Pit River

19-60 ***Recommendation:*** We support the BLM's findings and its proposal recommending the designation of 13 miles of the Upper Pit River as 'wild' under the Wild and Scenic Rivers Act. This segment is truly one of the most spectacular, yet little known, wild areas in northern California. It was therefore fitting that the BLM chose it as the cover photo for the Draft RMP.

c. Lower Horse Creek

19-61 ***Recommendation:*** We support the BLM's findings and its proposal recommending the designation of 3 miles of Horse Creek as 'wild' under the Wild and Scenic Rivers Act. Indeed, from the railroad bridge downstream Horse Creek appears almost completely untouched by human hands despite the fact that Native Americans have used the watershed for eons and Nineteenth Century settlers poured across it in search of better lives.

2. Eagle Lake Field Office RMP

a. Susan River – Wild and Scenic River

As documented in the draft RMP/EIS, the 8 miles of the Susan River found eligible for Wild and Scenic River status contain unique and varied outstandingly remarkable values including recreation (hiking, fishing, swimming, river floating, picnicking, sight seeing and nature study); historic (The Bizz Johnson trail including the 1913/1914 railroad grade trail and its 11 railroad

bridges and 2 tunnels and hand built wagon roads); geologic, (a multitude of features associated with the Great Basin, Sierra and Cascade ranges); scenic, "characterized by narrow canyon segments with basalt rims, blocky basalt talus slopes, columnar basalt, statuesque ponderosa and Jeffery pines and colorful riparian areas along the river." Draft RMP/EIS, p. 4-167; and wildlife, including aquatic, high quality riparian and upland habitat adjoining the river.

As acknowledged in the document, the designation of this area as a Wild and Scenic River would benefit the local economy, not only as a local destination but as a regional recreational destination, attracting use from throughout northern Nevada, California, Oregon, from other parts of the United States and from foreign countries. Clearly, the protection of the outstandingly remarkable values should be viewed in the context of their local, regional, national and international importance.

In testament to the values of this area and their growing popularity the document states, "The Susan River and adjoining Bizz Johnson Trail receive the highest amount of visitor use on public lands in Northeast California (86,179 visitors in fiscal year 2004)." Draft RMP/EIS, p. 4-163.

It is clear when considering and evaluating the factors in Sections 4(a) and 5(c) of the Wild and Scenic Rivers Act, that the Susan River is suitable for designation:

- It has outstanding and varied characteristics that make it a worth addition to the NWSRS;
- The majority of the 8 miles of land along the eligible segment of the Susan River is in public ownership;
- The reasonable foreseeable potential uses of the land and water would be enhanced by providing a myriad of recreational uses and protection of natural and cultural values versus the limited potential for water development coupled with potential significant adverse impacts;
- The management of the segment by BLM would largely be the same as it currently is (and designation as a Wild and Scenic River would make the area eligible for National Landscape Conservation System funding) - "Management of most river segments would not change significantly under Wild and Scenic River Act designation from present BLM management that is protecting stream and riparian habitat, aquatic and riparian wildlife species, cultural resources, scenic resources and river based recreation." Draft RMP/EIS p. 4-161;
- Local government has a clear economic interest in the designation because it would attract more visitors and;
- The support for designation (which would preserve the values of the area) is clearly high when viewed in the context of not only local but regional, national and international interest;
- Designation would unequivocally help preserve river system integrity;
- The potential for water resources development is low as documented in the draft RMP/EIS, "the utility of the reservoir would be limited to those years when flood flows occur. Flood flows have occurred during the past two decades in only a small percentage

of the years. In the majority of years in the past 25 years, Susan River flows have been below projected normal years, limiting the capability of a new reservoir to capture flows not already allocated to existing use and stored in the two reservoirs upstream of the Susan River Canyon." draft RMP/EIS, p. 4-170

In addition there are alternative sites for potential dam construction and diversions: "Dam construction would not be precluded above this segment of the river on private and Lassen National Forest lands." draft RMP/EIS, p. 4-169

And as the document states, "Any dam on the Susan River above or below Devil's Corral would adversely impact the Susan River's Outstandingly Remarkable Values that qualified it as eligible under the WSR Act."

19-62 ***Recommendation***: Alternative 2, recommending designation of an 8 mile segment of the Susan River be adopted as the preferred alternative in the final RMP/EIS.

b. Willow Creek

The eligible section of Willow Creek is located within a portion of the Tunnison WSA that was recommended for wilderness status by the BLM in 1990, which speaks to the primitive, remote and highly scenic character of this area. As with the Susan River, it contains several outstandingly remarkable values, including scenic, recreational and cultural – with its rock art being of particular importance. It clearly has characteristics that make it a worthy addition to the NWSRS, and most of the land is in BLM ownership, important factors for consideration in a suitability determination. The document states, "A dam on Willow Creek would adversely impact the creek's outstanding and unique values that qualify it for eligibility under the Wild and Scenic Rivers Act." Rock art sites, riparian areas, outstanding streamside hiking and other values would be compromised or destroyed. Moreover, as stated in the document, there is low potential for a dam, water diversion, or mineral development is low due "to the expense and environmental consequences of dam construction, lack of surplus water (during low-to-normal run-off years), and low mineral potential within the canyon." Preservation of Willow Creek's unique resources, resources that will become increasingly rare over time, will result in economic benefits. It is appropriate that Willow Creek be recommended for designation as a Wild and Scenic River.

19-63 ***Recommendation:*** Adopt Alternative 2 as the preferred alternative in the final RMP/EIS recommending designation of the 8 mile eligible segment of Willow Creek as 'wild' under the Wild and Scenic Rivers Act.

c. Upper Smoke Creek

As stated in the draft RMP/EIS Upper Smoke Creek has a number of outstandingly remarkable values. Designating the eligible segment of the Creek as 'wild' under the Wild and Scenic Rivers Act will protect aquatic (including a Lahontan assemblage of native species) and terrestrial wildlife species (especially sage-grouse, which quiet visitors will often see along the Creek), riparian areas, outstanding visual resources, archaeological sites, and recreational opportunities. We commend the BLM for their recommendation.

19-64 ***Recommendation:*** Adopt the preferred alternative in the final RMP/EIS recommending designation of the entire eligible segment (10.6 miles) of Upper Smoke Creek 'wild' under the Wild and Scenic Rivers Act.

d. Lower Smoke Creek

Lower Smoke Creek contains high geologic, scenic, riparian, and biologic values, and a historic trail. As with the Susan River and Willow Creek it provides a variety of recreational uses, specifically wildlife viewing, camping, hunting and stream fishing. By contrast it there is low potential for water development – "a new dam and reservoir is not likely to occur because there is little if any surplus water that is not already appropriated by upstream use for irrigation of meadows below Smoke Creek Reservoir." draft RMP/EIS p. 4-175. In the context of the factors that are to be considered in recommending a Wild and Scenic River designation, on balance Lower Smoke Creek merits designation.

19-65 ***Recommendation:*** Adopt Alternative 2 in the final RMP/EIS recommending designation of the entire eligible segment (3.2 miles) of Lower Smoke Creek 'wild' under the Wild and Scenic Rivers Act.

3. Surprise Field Office RMP

a. Twelvemile Creek

This scenic little Warner Mountain stream has a rich riparian area and hosts populations of the sensitive Warner sucker and Warner red-band trout.

19-66 ***Recommendation:*** In the Final RMP adopt the proposal offered by the Preferred Alternative in the Draft RMP to recommend to Congress that 2.2 miles of Twelvemile Creek be designated as a "recreational" segment under the Wild and Scenic Rivers Act.

Wilderness Study Areas

The Draft RMPs fail to adequately discuss and prioritize protection of the wilderness values of these lands.

The three Field Office areas have significant wilderness values, which are recognized to varying degrees in the Draft RMPs but are not sufficiently addressed or protected. The RMPs need to place appropriate emphasis on the value of wilderness character of these lands and take steps to protect them.

I. Management of WSAs

The Federal Land and Policy Management Act, (FLPMA, 43 U.S.C. § 1701, et seq.) directs BLM to protect WSAs. Section 603(c) of FLPMA states, "During the period of review of such areas and until Congress has determined otherwise, the Secretary shall continue to manage such lands according to his authority under this Act and other applicable law in a manner so as not to impair the suitability of such areas for preservation as wilderness." 43 U.S.C. § 1782. In other words, the WSA's wilderness values must not have been degraded so as to constrain or pre-empt Congressional designation authority. **WSAs are to be managed in accordance with the Interim Management Policy (IMP) For Lands Under Wilderness Review (BLM Manual H-**

8550-1) in order to protect their wilderness values. The IMP requires management of the WSA in accordance with the nonimpairment standard, such that no activities are allowed that may adversely affect its potential for designation as wilderness. As stated in the IMP, the "overriding consideration" for management is that:

> . . . preservation of wilderness values within a WSA is paramount and should be the primary consideration when evaluating any proposed action or use that may conflict with or be adverse to those wilderness values. (emphasis in original)

While the IMP does permit continued exercise of grandfathered uses and valid existing rights, it also points out that grandfathered uses (such as grazing) may only continue to the extent that their impacts do not increase. Further, while the IMP permits some temporary uses to be considered, it still requires first assessing how the action may impair the WSA's wilderness values and recommends using the "minimum tool" concept as a guide for permitting any actions that may do so.

In specific discussion about motorized recreation, the IMP prohibits new routes for motorized use and also permits restriction of existing routes. The IMP states (H-8550-1, Section III.H.1)

> No new permanent recreational ways, trails, structures, or installations will be permitted, except those that are the minimum necessary for public health and safety in the use and enjoyment of the public lands' wilderness values, **and that are necessary to protect wilderness resource values**. **No mechanical transport, which includes all motorized vehicles** plus trail or mountain bikes, **will be allowed** on such trails. (bolded emphasis added).

With regard to the limitation on use of existing routes, the IMP addresses "erosion caused by increased vehicle travel within a WSA" and states that: "[t]o prevent this impairment, BLM will monitor ongoing recreation uses as well as cumulative impacts, and if necessary, adjust the time, location, or quantity of use or **prohibit use in the impacted area**." H-85590101, Section III.H. (emphasis added)

These requirements reinforce the applicable legal standards for off-road vehicle use, which require BLM to ensure that areas and trails for off-road vehicle (ORV) use are located to prevent impairment of wilderness suitability. Executive Order No. 11644 (1972) as amended by Executive Order No. 11989 (1977); 43 C.F.R. § 8342.1.

WSAs have been established based on their potential for congressional designation as Wilderness, so that these areas have been found to be essentially roadless and in natural condition. Travel management designations for WSAs should disallow ORV use. For existing routes, BLM should scrutinize them carefully given the high potential for resource damage resulting from illegal cross-country travel of such designated routes that could result in the impairment of resource values within WSAs and may adversely affect their future consideration by Congress as wilderness. Only those routes in WSAs that provide access to private or state inholdings, valid leases, or that provide access to or along existing easements, rights-of-way or livestock improvements within the WSA should be permitted to remain open to vehicle use. Further, for routes that remain open, BLM should consider designations that are "limited" to the time or season necessary for such use, to licensed or permitted vehicles or users, or to BLM administrative use only, as appropriate.

Implementation of the IMP to the existing WSAs similarly requires the BLM to apply other protective management prescriptions, such as appropriate VRM and Recreation Opportunity Spectrum (ROS) Classifications and limitations on destructive activities.

19-67 ***General Recommendation***: BLM should propose management of the WSAs that complies with the IMP and protects their wilderness character, by limiting potentially damaging activities, applying protective management prescriptions and proactively restoring and protecting their naturalness. Specific analysis of the proposed management of WSAs in each RMP and recommendations are set out below.

A. Alturas RMP

1. General Support for Management Common to All Alternatives

In general, we support the Management Common to All Alternatives described on pages 2-99 through 2-101 and the table on page 2-213 with the following exceptions:

- We would prefer that the management prescriptions be more specific in the event that any lands released by Congress from WSA designation. Specifically, we believe that VRM classification, ORV designation, and energy and mineral designations should be addressed with strong consideration given to applying protective measures
- The BLM should commit, in accordance with Section 202 of FLPMA, to keep a continual and ongoing inventory of its lands to determine their wilderness characteristics
- Preservation of wilderness character should be specifically mentioned in the Desired Future Conditions (DFC)

19-68 ***Recommendation***: We recommend that BLM provide more specific guidance on the management prescriptions that would apply to released WSAs, to commit to keeping an updated inventory of the wilderness characteristics of its lands including newly acquired lands and those lands it currently manages, and specifically commit to the preservation of wilderness characteristics as a DFC.

2. Support for Inclusion of Table 2.14.1 (page 2-100)

Table 2.14.1 which displays the overlap of ACECs and WSAs was extremely helpful in our analysis of this RMP.

19-69 ***Recommendation***: BLM should include Table 2.14.1 in the Final EIS/Proposed RMP.

3. Support for Closure of Illegal Roads within WSAs

We support the language on page 2-101 that states, "Roads or trails that have been created or discovered subsequent to these inventory efforts would be closed to vehicle use under all alternatives . . ."

19-70 ***Recommendation***: BLM should complete the inventories described and include these road closures in the Final EIS/Proposed RMP.

4. Recommendations for Final EIS/Proposed RMP

a. **VRM Classification** - All four WSAs within the Alturas Field Officeare managed as VRM I in the Preferred Alternative.

19-71 ***Recommendation*:** BLM should carry the VRM classification management thru to the Final EIS/Proposed RMP.

b. **ROS Classification** – The appropriate ROS classification for WSAs is Primitive. Primitive ROS does not allow for mechanized/motorized recreation which is consistent with the IMP for the protection of WSAs.

19-72 ***Recommendation:*** Alternative 2, which applies an ROS classification of Primitive should be chosen for Timbered Crater WSA and Tule Mountain WSA. An alternative should be chosen that does not include an ROS classification of Roaded Natural for a small portion of the Lava WSA as appears to be the case under the Preferred Alternative. The ROS Classification of Primitive described in the Preferred Alternative should be applied to Pit River Canyon WSA.

c. **Off Highway Vehicle Designations** – The preferred alternative currently applies a "Limited to Designated Routes" designation for Timbered Crater WSA, a "Limited to Existing Roads and Trails" designation to Lava WSA, a "Limited to Existing Roads and Trails" designation to Pit River Canyon WSA, and a "Limited to Existing Roads and Trails" designation to Tule Mountain WSA. The only appropriate OHV designation within WSAs is "Closed". A "Limited to Existing Roads and Trails" designation in particular is inconsistent with the BLM's commitment to manage WSAs so as not to impair their wilderness suitability.

19-73 ***Recommendation:*** For Timbered Crater WSA, the No Action Alternative which applies a "Closed" designation should move forward. For Lava WSA, Alternative 2 which applies a "Closed" designation should move forward. For Pit River Canyon WSA, a "Closed" alternative (which would be consistent with the ROS prescription of "Primitive" applied to this WSA in the preferred alternative) should be developed and moved forward. Consistent with ROS category found in Alternative 2, BLM should develop and carry forward a "Closed" alternative for Tule Mountain WSA.

d. **Energy and Minerals** – Currently, all WSAs are closed to mineral leasing and saleable mineral activities.

19-74 ***Recommendation:*** BLM should carry the management prescriptions for energy and minerals described in the preferred alternative forward.

19-75 We are puzzled as to why the Appendix states on page A-57 that the BLM recommended the Lava WSA as suitable for wilderness when the agency's *California Statewide Wilderness Study Report*, Part 4, Volume 2, page 2 of Lava CA-030-203 clearly states that all 10,770 acres are recommended for "non-wilderness" status. Indeed, the BLM's State of California Wilderness Status Map clearly shows that the Lava WSA was not given a preliminary suitable recommendation. Despite the error, we hope the Appendix reflects a willingness on the part of BLM to reconsider the negative assessment of the WSA's outstanding wilderness values it offered in 1990.

e. Utility rights-of-way and communication sites

19-76 While we are pleased that new utility lines or communication sites would avoid WSAs, ACECs and proposed WSRs under the Preferred Alternative (page 2-125), we request that the final version of the RMP mirror the Eagle Lake Field Office Draft RMP and propose to make lands both in and adjacent to all WSAs, ACECs, WSRs other special management areas right-of-way avoidance areas (Eagle Lake Field Office Draft RMP, page 4-344).

We also support the establishment of special recreation management areas (SRMA) in the Pit River, Tule Mountain and Lava WSAs and the development of non-motorized trails in these areas (page 2-64).

B. Eagle Lake RMP

We strongly support the proposal in the Preferred Alternative to designate Primitive ROS zones in WSAs and to close several miles of roads and other motorized routes in these Primitive ROS zones (page 2-81). Considering the history of route proliferation in the Eagle Lake Field Office and the BLM's determined yet under-funded struggle over the last few years to better regulate motor vehicle use, this is indeed welcome and even impressive.

19-77 However, the Draft RMP is confusing and contradictory on this score. For example, page 2-113 states that 45 miles of existing, cherrystemmed roads will be closed inside Primitive areas within WSAs, while on page 4-224 the miles of road closures is listed as 58. We urge BLM to clarify the mileage issue in the final version of the RMP and to expand the Primitive ROS to include additional WSA acreage.

We support the Preferred Alternative's proposal to construct 68 miles of non-motorized trails in WSAs (page 2-113).

19-78 On pages 4-193 and 4-194 the Draft RMP describes the dire and no doubt accurate description of the impacts a dam would have on Willow Creek. Given these catastrophic impacts, we find it perplexing that the Draft RMP would then go on to state that WSA protection for the creek is only "moderately beneficial" in maintaining its scenic, recreational, cultural and ecological values. We request that "moderately beneficial" be changed to "extremely beneficial."

We strongly support the Draft RMP's commitment on page 4-344 to make lands next to WSAs, ACECs, WSRs other special management areas as right-of-way avoidance areas.

1. <u>General Support for Management Common to All Alternatives</u>

In general, we support the Management Common to All Alternatives described on pages 2-110 through 2-113 and the table on page 2-223 with the following exceptions:

19-79 • We would prefer that the BLM consider an alternative that would manage all WSAs as VRM I or VRM II if released by Congress

19-80 • The BLM should commit, in accordance with Section 202 of FLPMA, to keep a continual and ongoing inventory of its lands to determine their wilderness characteristics

19-81

- The first bullet in the table on page 2-223 should be revised to state, "Lands acquired within WSAs are not subject to the IMP but ***would*** *(note to reader:* ***or will*** we are still discussing) be managed to protect their wilderness characteristics."

19-79 through 19-81

Recommendation: We recommend BLM consider more protective VRM prescriptions in the event any WSAs are released by Congress, commit to keeping a continually updated wilderness characteristics inventory, and fix the first bullet under the table found on page 2-223.

2. Support for Inclusion of Appendix I in Final EIS/Preferred RMP

While we were impressed that BLM included its guidelines for managing non-WSA lands with wilderness characteristics in Appendix I, we were nevertheless disappointed that the Draft EIS/RMP failed to identify any such areas under any alternative. In order to be in compliance with Section 202 of FLPMA, BLM should inventory its lands to identify area with wilderness characteristics and manage them in accordance with Appendix I.

19-82

Recommendation: BLM should carry Appendix I forward to the Final EIS/Proposed RMP and recognize at least some of the roadless areas described by the CWC during scoping as areas with wilderness characteristics.

3. Concerns in Reference to Roads within WSAs Identified in the Preferred Alternative

While we are impressed with the Eagle Lake Field Office's decision to map and designate routes within the entire RMP area (thereby closing all routes not shown on the maps included with the RMP) we have some concerns about the routes depicted in the RMP. Map Travel-6 appears to show some road closures within WSAs but also appears to designate a significant number of roads within WSA boundaries as open to vehicles. While we understand that routes not in existence prior to the designation of WSAs are illegal and have already been closed by the BLM in the Eagle Lake Field Office, we are concerned that the routes proposed for continued vehicle use will lead to the proliferation of illegal cross-country routes once again. Further, it is confusing to the public when an area is designated as "Closed" to OHV use, yet a designated road is shown in this area.

19-83

Recommendation: BLM should explain in detail in the Final EIS/Proposed RMP why particular routes are left open to vehicles in WSAs and why they do not contribute to route proliferation, habitat fragmentation, and other problems typically associated with roads. Further, to reduce confusion and user conflicts, the BLM should close all routes within a "Closed" OHV area.

4. Recommendations for Final EIS/Proposed RMP

a. **VRM Classification** - All seven WSAs and one ISA within the Eagle Lake Field Office are managed as VRM I in the Preferred Alternative.

19-84

Recommendation: BLM should carry the VRM classification management thru to the Final EIS/Proposed RMP.

b. **ROS Classification** –The appropriate ROS classification for WSAs is Primitive. Primitive ROS does not allow for mechanized/motorized recreation which is consistent with the Interim Management Policy for the protection of WSAs.

19-85 ***Recommendation:*** The BLM should include all WSAs in a Primitive ROS zone in the Preferred Alternative in the Final EIS/Proposed RMP.

c. **Off Highway Vehicle Designations** – While we are impressed that the BLM has inventoried all existing routes within the Eagle Lake Field Office, we are concerned that a significant portion of the WSAs are managed as "Limited to Designated Routes" with little rationale included for this decision. The appropriate designation for WSAs is "Closed".

19-86 ***Recommendation:*** As is stated above, in the Final EIS/Proposed RMP the BLM should explain its rationale for designating certain routes as open within WSAs and select an alternative that closes all WSAs to OHV use.

d. **Energy and Minerals** – Currently, all WSAs are closed to mineral leasing and saleable mineral activities.

19-87 ***Recommendation:*** BLM should carry the management prescriptions for energy and minerals described in the preferred alternative forward.

C. Surprise RMP

1. General Support for Management Common to All Alternatives

In general, we support the Management Common to All Alternatives described on pages 2-66 through 2-69 and the table on page 2-132 with the following exceptions:

- 19-88 We would prefer that the management prescriptions be more specific in the event any lands are released by Congress from WSA designation. Specifically, we believe that VRM classification, ORV designation, and energy and mineral designations should be addressed with strong consideration given to applying protective measures
- 19-89 The BLM should commit, in accordance with Section 202 of FLPMA, to keep a continual and ongoing inventory of its lands to determine their wilderness characteristics

19-88 & 19-89 ***Recommendation*:** We recommend that BLM provide more specific guidance on the management prescriptions that would apply to WSAs in the event they were released, and that it commit to keeping an updated inventory of the wilderness characteristics of its lands including newly acquired lands and those lands it currently manages.

2. Support for Inclusion of Appendix H in Final EIS/Preferred RMP

While we were impressed that BLM included its guidelines for managing non-WSA lands with wilderness characteristics in Appendix H, we were nevertheless disappointed that the Draft EIS/RMP failed to identify any such areas under any alternative. In order to be in compliance with Section 202 of FLPMA, BLM should inventory its lands to identify areas with wilderness characteristics and manage them in accordance with Appendix H.

19-90 ***Recommendation*:** BLM should carry Appendix H forward to the Final EIS/Proposed RMP and recognize at least some of the roadless areas identified as SPNM ROS zones in the Preferred Alternative ROS map as areas with wilderness characteristics.

3. Concerns in Reference to Roads Designated within WSAs in the Preferred Alternative

While we are impressed with BLM's decision to provide the public with a useful and easy map to comment on designated routes within WSAs, the designation of routes that did not exist prior to WSA designation within WSAs is in violation of the BLM's legal obligations under the IMP for WSAs.

19-91 ***Recommendation*:** At a minimum, BLM must provide the public with documentation of routes it designates within WSAs to prove that these routes were in existence prior to WSA designation and to prove that these routes are not currently and will not in the future degrade a WSA's ability to be designated as wilderness. If the BLM cannot prove that a route existed prior to WSA designation or that its continued use does not degrade the wilderness character of a WSA, the route must be closed.

4. Recommendations for Final EIS/Proposed RMP

a. **VRM Classification** - All five WSAs within the Surprise Field Office are managed as VRM I in the Preferred Alternative.

19-92 ***Recommendation*:** BLM should carry the VRM classification management thru to the Final EIS/Proposed RMP.

b. **ROS Classification** – BLM did not include the option of designating any areas within the field office as "Primitive" and instead designated all areas within WSAs as either SPNM or SPM. The appropriate ROS classification for WSAs is Primitive. Primitive ROS does not allow for mechanized/motorized recreation which is consistent with the Interim Management Policy for the protection of WSAs.

19-93 ***Recommendation:*** The BLM should develop and adopt in the Final EIS/Proposed RMP an alternative that applies an ROS of "Primitive" to all WSAs and carry this alternative forward.

c. **Off Highway Vehicle Designations** – As mentioned earlier, we are impressed that the BLM has inventoried all existing routes within the Surprise Field Office; however, we are greatly concerned that only two WSAs (South Warner Contiguous WSA and Buffalo Hills WSA) are closed to OHV use. Again, the BLM must explain to the public that routes identified as "Designated Routes within Wilderness Study Areas" existed prior to WSA designation and that their continued use does not impair the area's Wilderness character.

19-94 ***Recommendation:*** If the BLM cannot prove to the public that a route existed prior to WSA designation and that the route's continued use does not impair the wilderness character of the area, the BLM must develop and adopt in the Final EIS/Proposed RMP an alternative that closes these routes and carry it forward.

d. **Energy and Minerals** – Currently, all WSAs are closed to mineral leasing and saleable mineral activities.

19-95 ***Recommendation:*** BLM should carry the management prescriptions for Energy and Minerals described in the preferred alternative forward.

19-96 While we are pleased that new utility lines or communication sites would avoid WSAs, ACECs, special management areas, critical sage grouse habitat under the Preferred Alternative (page 2-75), we request that the final version of the RMP mirror the Eagle Lake Field Office Draft RMP and propose to make lands both in and adjacent to these areas right-of-way avoidance areas (Eagle Lake Field Office Draft RMP, page 4-344).

II. Protection of Wilderness Character

Section 201 of FLPMA mandates that BLM inventory the resources of the public lands, their resources and values. 43 U.S.C. § 1711. In the land use planning process, including preparation of RMPs, Section 202 of FLPMA requires that BLM take into account the inventory and determine which multiple uses are best suited to which portions of the planning area. 43 U.S.C. § 1712. BLM is obligated to inventory for and consider a range of alternatives to protect lands with wilderness characteristics.

BLM has identified "wilderness characteristics" to include naturalness or providing opportunities for solitude or primitive recreation. *See*, Instruction Memoranda (IMs) 2003-274 and 2003-275. These values should also be identified and protected through this planning process. BLM should recognize the wide range of values associated with lands with wilderness character. FLPMA specifically identifies "scenic values" as a resource of BLM lands for purposes of inventory and management (43 U.S.C. § 1711(a)), and the unspoiled landscapes of lands with wilderness characteristics generally provide spectacular viewing experiences. The scenic values of these lands will be severely compromised if destructive activities or other visual impairments are permitted.

Due to their unspoiled state, lands with wilderness characteristics also provide valuable habitat for wildlife, thereby supporting additional resources and uses of the public lands. The Draft RMP discuss the importance of large tracts of habitat for a multitude of species. The lack of intensive human access and activity on lands with wilderness characteristics also helps to protect cultural and historic resources, which BLM is directed to protect by FLPMA and the National Historic Preservation Act.

Through these RMPs, BLM can and should protect wilderness character and the many uses that wilderness character provides on the public lands through various management decisions, including by excluding or limiting certain uses of the public lands. *See*, 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of various aspects of wilderness character (such as recreation, wildlife, natural scenic values) and requires BLM's consideration of the relative values of these resources but "not necessarily to the combination of uses that will give the greatest economic return." 43 U.S.C. § 1702(c).

1. BLM should consider designating new Wilderness Study Areas.

While we are aware of the April 2003 settlement agreement (Utah Settlement) between Secretary of the Interior Norton and the State of Utah (in which BLM abdicated its authority to designate any additional WSAs), we maintain that this agreement is invalid and will ultimately be overturned in pending litigation.[1]

Even if the Utah Settlement is reinstated, not as a consent decree, it is illegal. The Utah Settlement is based on an interpretation of FLPMA §§ 201, 202, and 603 that is contrary to

FLPMA's plain language. Section 603 did not supersede or limit BLM's authority under § 201 to undertake wilderness inventories, but rather relies explicitly on BLM having exactly that authority under § 201. Nor did § 603 in any way limit BLM's discretion under § 202 to manage its lands as it sees fit, including managing areas as § 202 WSAs in accordance with the IMP. Every prior administration has created WSAs under § 202 and they plainly had authority to do so. This administration has such authority as well, making this a reasonable alternative deserving of consideration in this NEPA process. The Utah Settlement is also illegal because the court in Utah lacked jurisdiction to prohibit designation of new WSAs nationwide, including in California.

19-97 ***Recommendation***: In light of the recent ruling and subsequent action of the parties, we, the undersigned groups, emphasize that the BLM can and should continue to designate new WSAs in these planning processes, including the areas identified by the CWC during scoping and by the Alturas and Surprise Field Offices through their identification of areas that will be managed under SPNM and Primitive ROS zones.

b. BLM should also consider other management alternatives for protecting lands with wilderness characteristics.

The Utah Settlement does not affect BLM's obligation to value wilderness character or, according to BLM directives, the agency's ability to protect that character, including in the development of management alternatives.

In fact, BLM has not only claimed that it can continue to protect wilderness values, but has also committed to doing so. On September 29, 2003, BLM issued IMs 2003-274 and 2003-275, formalizing its policies concerning wilderness study and consideration of wilderness characteristics in the wake of the Utah Settlement. In the IMs and subsequent public statements, BLM has claimed that its abandonment of previous policy on WSAs would not prevent protection of lands with wilderness characteristics. The IMs contemplate that BLM can continue to inventory for and protect land "with wilderness characteristics," such as naturalness or providing opportunities for solitude or primitive recreation, through the planning process. The IMs further provide for management that emphasizes "the protection of some or all of the wilderness characteristics as a priority," even if this means prioritizing wilderness over other multiple uses. (emphasis added). This guidance does not limit its application to lands suitable for designation of WSAs; for instance, the guidance does not include a requirement for the lands at issue to generally comprise 5000-acre parcels or a requirement that the lands have all three of the potential wilderness characteristics in order to merit protection. Accordingly, administrative protection can and should be considered for lands not currently protected. The Draft RMPs should also consider management alternatives that provide administrative protection for the wilderness characteristics of those lands currently designated as WSAs if they are not ultimately designated as wilderness by Congress; their wilderness characteristics are acknowledged in the Draft RMPs.

In an April 11, 2003, letter to various Senators, including Senator Craig Thomas (WY), then-Secretary of the Interior Gale Norton stated: "The Department stands firmly committed to the idea that we can and should manage our public lands to provide for multiple use, including protection of those areas that have wilderness characteristics." The letter also stated that "the government can identify, or 'inventory' lands . . . for wilderness values" and manage them through different designations which would be distinguished from the "limitation of the 1964 Wilderness Act, which only allows roadless areas greater than 5000 acres to be congressionally

designated." (copy **attached** for your reference). Similarly, in a February 12, 2004, letter to William Meadows, President of TWS (copy **attached** for your reference), then-Assistant Secretaries of the Interior Rebecca Watson and Lynn Scarlett stated that "through the land use planning process, BLM uses the ACEC designation or other management prescriptions to protect wilderness characteristics or important natural or cultural resources."

BLM's Arizona State Office has recently issued guidance that elaborates upon this guidance by providing for identification of lands with wilderness characteristics and development of management prescriptions to protect and enhance these values (IM No. AZ-2005-007 – **attached** for your reference). The recently-released Draft RMP for the Arizona Strip (excerpts **attached** for your reference) includes land use allocations for lands with wilderness characteristics in every alternative and sets out protective management prescriptions (Table 2.10). This RMP also includes a detailed discussion of how BLM identified and assessed wilderness characteristics and the need for protective management (Appendix 3.D). This process is consistent with FLPMA's direction that BLM inventory the many values of the public lands and consider ways to protect them (i.e., not all uses are appropriate in all places) in the RMP. 43 U.S.C. §§ 1711, 1712. Other RMPs that are being prepared in Arizona, Colorado and Wyoming also include identification of lands with wilderness characteristics and include management of certain areas to maintain and enhance these values in management alternatives under consideration. In California, the Final EIS and Proposed RMP for the Ukiah Field Office identified the Blue Ridge area and lands adjacent to the existing Rocky Creek/Cache Creek WSA as areas with wilderness characteristics. Likewise the Arcata Field Office's management plans for the Headwaters Forest Reserve and the King Range National Conservation Area also identified lands with wilderness characteristics and agreed to manage them using the guidelines included in Appendix H of the Surprise Field Office's Draft EIS/Resource Management Plan.

In a recent decision, a federal court found that BLM's failure to re-inventory lands for wilderness values and to consider the potential impact of decisions regarding management of a grazing allotment violated its obligations under NEPA and FLPMA. In Oregon Natural Desert Association v. Rasmussen, CV 05-1616-AS, Findings and Recommendations (D.Or. April 20, 2006 – copy **attached**), the Oregon Natural Desert Association (ONDA) had submitted an updated inventory of wilderness values, but BLM declined to "revisit" its previous inventory or to consider the potential damage to wilderness values from the proposed grazing management decisions. The court found that BLM had violated NEPA, by failing to consider significant new information on wilderness values and potential impacts on wilderness values, and had also failed to meet its obligations under FLPMA, by failing to engage in a continuing inventory of wilderness values. The court concluded:

> The court finds BLM did not meet its obligation under NEPA simply by reviewing and critiquing ONDA's work product. **It was obligated under NEPA to consider whether there were changes in or additions to the wilderness values** within the East-West Gulch, **and whether the proposed action in that area might negatively impact those wilderness values**, if they exist. The court finds BLM did not meet that obligation by relying on the one-time inventory review conducted in 1992. **Such reliance is not consistent with its statutory obligation to engage in a continuing inventory so as to be current on changing conditions and wilderness values**. 43 U.S.C. § 1711(a). BLM's issuance of the East-West Gulch Projects EA and the accompanying Finding of No Substantial Impact (FONSI) in the absence of current information on wilderness values was arbitrary and capricious, and, therefore, was in violation of NEPA and the APA. (emphasis added)

As part of these Draft RMPs, BLM is similarly obligated to both consider additions to wilderness values and evaluate the potential impacts on those wilderness values from its management decisions. Appendix I to the Eagle Lake Draft RMP and Appendix H to the Alturas Draft RMP (Management of Lands with Wilderness Characteristics) implicitly recognizes BLM's authority to protect lands with wilderness characteristics and the types of management that are needed to achieve necessary protection, but it is not applied to any lands in the three Field Offices or discussed in any detail in the Draft RMPs; and no comparable appendix appears in the Surprise Draft RMPs.

In preparing the revised RMPs and accompanying EIS, BLM should clearly present management alternatives in the context of protecting wilderness character and analyze environmental consequences to that character. In addition to considering designation of new WSAs, BLM should propose protective management prescriptions or other protective status (including mineral withdrawals, non-motorized recreation prescriptions, ACEC designations, and prohibitions on new road construction, backcountry airstrips, erection of structures such as cell towers, etc.) for lands with wilderness characteristics. BLM must also specify the "Environmental Consequences" of the resource management decisions on the wilderness-quality lands in the planning areas. In short, in every major section of the RMP, BLM must address wilderness-quality lands and citizen-proposed wilderness areas. BLM should then take appropriate actions to protect wilderness character in the preferred management alternative.

Recommendations: BLM should include protection of lands with wilderness characteristics in the RMPs management alternatives and thoroughly analyze this issue throughout the planning process. To ensure that wilderness values receive proper and sufficient attention as a critical aspect of land management in preparation of the RMP, BLM must inventory for lands with wilderness characteristics (including those lands identified by citizens and proposed to BLM for wilderness protection), consider alternatives for protecting lands with wilderness characteristics (including for those lands currently designated as WSAs if they are not ultimately designated as wilderness by Congress) and address wilderness as a separate and unique issue in the planning process in each section of the RMP, as described above. The guidance in Appendix I to the Eagle Lake Draft RMP and Appendix H to the Alturas Draft RMP should be applied to the Surprise Draft RMP.

19-98

Regarding the Proposed RMP/Draft EIS, we enthusiastically support the Preferred Alternative's proposal to manage several non-WSA roadless areas for non-motorized recreation, including all or part of the Sheep Ridge, Mount Dome, Sheep Valley/Silva Flat and McDonald Peak areas as Primitive ROS zones and all or part of the Cinder Flats, Bald Mountain, Turner Canyon/Fox Mountain, Pine Spring, Round Mountain/Leonard Spring, Sheep Valley/Silva Flat and McDonald Peak areas as SPNM ROS zones. These proposed ROS designations will greatly benefit both the public and wildland ecosystems. We encourage the BLM to retain this proposal intact in the final version of the RMP. We ask however that the Beaver Creek Rim/Beaver Creek area also be managed as a SPNM zone because of its interesting geology and Native American cultural and scenic values.

19-99

We do find it rather perplexing however that much of McDonald Peak and some of the other areas proposed for Primitive or SPNM ROS management are proposed for VRM Class III-IV management at the same time (map VRM-1). How can an area be managed as "semi-primitive," "non-motorized" or "primitive" when the most severe possible visual disturbances are allowed? What is worse, the Draft RMP fails to disclose and discuss the impact such major industrial-scale

19-100

disturbances would have on Primitive and SPNM ROS opportunities and on the plants and wildlife that live in the proposed Primitive and SPNM areas. We request that in the final version of the RMP all Primitive areas be managed as VRM Class I and all SPNM zones be managed as VRM Class II areas.

19-100

Regarding the Eagle Lake Field Office Proposed RMP/Draft EIS, we support the Preferred Alternative's proposal to confine vehicles to designated routes in 72 percent of the Eagle Lake Field Office and to close 24 percent of the Field Office to motorized use (page 4-223) and we recognize that this is a new and profoundly important step for the BLM in the area. We also support the Preferred Alternative's proposal to manage 66 percent of the field office under a "backcountry" ROS (page 4-109) that limits all vehicles to designated routes and only allows travel off of those routes by permit (page 2-79) and to manage 23 percent under a primitive ROS (page 4-109).

As the CWC and other groups discussed in their October 29, 2003 scoping letter in 1997 the CWC launched a four-year effort to identify areas around the state that were eligible for designation as wilderness by Congress. In the Eagle Lake Field Office this "Citizens Wilderness Inventory" identified the following roadless areas in addition to the existing WSAs:

- Observation Peak Roadless Area (approximately 16,040 acres)
- Shaffer Mountain Roadless Area (approximately 13,365 acres)
- Shinn Mountain Roadless Area (approximately 18,571 acres)
- Skedaddle Flats Roadless Area (approximately 10,552 acres)
- Skedaddle West Roadless Area (approximately 7,030 acres)
- Snowstorm Mountain Roadless Area (approximately 13,620 acres)

19-101

We are disappointed that the Preferred Alternative has failed to recognize the existence of these roadless areas and to explicitly propose to manage them in such a way as to maintain their wild character. We are also confused by the fact that while on page 2-81 the Draft RMP states that primitive ROS zones are proposed in "core areas" of WSAs and "in some large roadless areas outside WSAs," the ROS map (REC-6) does not show any primitive zones outside of WSAs. We request that the final version of the RMP be changed to include primitive zones in the core portions of at least some of these roadless areas, especially Shinn Mountain.

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19-101

We recognize that these roadless areas and other ecologically and culturally important portions of the Eagle Lake Field Office will greatly benefit from the backcountry ROS designation. We also recognize and support the fact that the Preferred Alternative contains several other beneficial provisions for these areas, including:

- Closing a portion of the Observation Peak Roadless Area to vehicles, limiting vehicle use in the rest of the area to designated routes, including a portion of the area in the Upper Smoke Creek Complex Cultural Resource Management Area (CRMA), assigning it to a VRM II zone and managing it with a AMR fire suppression strategy.
- Limiting vehicle use in the Shaffer Mountain Roadless Area to designated routes, including a portion of the area in the Balls Canyon Complex CRMA, assigning it to a VRM II zone except for the existing communication site, including it in a SRMA and proposing several non-motorized trails.

- Limiting vehicle use in the Shinn Mountain Roadless Area to designated routes, assigning the majority of it to a VRM II zone and managing it with a AMR fire suppression strategy.
- Limiting vehicle use to designated routes in the Skedaddle Flats Roadless Area, including a portion of it in the Deep Cut CRMA and assigning it to a VRM II zone.
- Limiting vehicle use to designated routes in the Skedaddle West Roadless Area and including a portion of it in the Little Mud Flat CRMA.
- Limiting vehicle use in the Snowstorm Mountain Roadless Area to designated routes, including portions of it in the Pete's Valley and Snowstorm CRMAs and managing it with a AMR fire suppression strategy.

19-103 However, we strongly oppose managing portions of the Shinn Mountain, Skedaddle West and all of the Snowstorm Mountain Roadless Areas as VRM III zones. The reason for including such visually prominent areas in VRM III zones are not provided in the Draft RMP, nor are the ecological, social or cultural impacts of allowing large-scale developments in these areas considered.

19-103 19-102 19-104 To protect all six of these roadless areas, we request that the Preferred Alternative in the final version of the RMP propose to manage them as VRM II zones, that primitive ROS zones be established in their cores, and that new road construction be prohibited in these areas except for landowners access or emergency purposes.

19-105 We are perplexed as to why the primitive ROS class is not "recognized" in the Surprise Field Office Draft RMP (page 2-47). No explanation is given in the document, and to make matters worse, astoundingly there is no substantial difference in the distribution of ROS classes between alternatives. This is a failure to offer a sufficient range of alternatives. CEQ regulations require a reasonable range of alternatives to be presented and analyzed in the EIS so that issues are "sharply defined" and the EIS provides "a clear basis for choice among options . . ." 40 C.F.R. § 1502.14.

Travel Management - see comments under other headings as well as the following entry that applies only to the Alturas Draft RMP.

1. BLM should clarify travel management questions in the RMP.

In the Alturas Draft RMP under the Preferred Alternative OHV travel is limited to existing roads and trails unless otherwise designated (page 2-69). We recognize that this is a significant step forward for the BLM in northeastern California and we hope that this proposal is carried forward.

However, the description of how motorized routes are to be managed in SPNM and Primitive ROS zones under Preferred Alternative is rather confusing. For example, on page 2-69 the Draft RMP states that existing roads would follow "corridors" through SPNM areas. This implies that these roads will remain open to the public and that they are authorized for vehicle use. On the other hand, on page 2-73 the Draft RMP states that routes within Primitive and SPNM areas will be closed or removed where continued "unauthorized" use warrants it. Does this mean that all use of existing roads and routes in SPNM areas is unauthorized?

19-106 ***Recommendations***: Please clarify the confusion regarding vehicle use in Primitive and SPNM zones in the Alturas Proposed RMP/Final EIS.

2. BLM should reconcile conflicting estimates of the mileage of new roads that will be built in Alturas Field Office under the Preferred Alternative.

The various projections offered in the Draft RMP for new temporary and permanent road construction under the Preferred Alternative are rather confusing. For example, the Draft RMP states that under the Preferred Alternative:

- 130 miles of new roads will be built (page 4-40).
- Up to 30 miles of new road will be built for forestry and woodcutting alone (page 4-65).
- 20 miles of new roads will be built along with an astounding 350 miles of "temporary" roads (page 4-135).
- "The network of permanent roads would be increased by 10 miles under this alternative" (page 4-349).

19-107 ***Recommendations***: BLM must provide a consistent estimate of the miles of permanent and temporary roads that will be built under the Preferred Alternative in the Alturas Proposed RMP/Final EIS.

3. BLM should offer a more comprehensive description of the impacts of both permanent and temporary road construction.

The Draft RMP fails to acknowledge that "temporary" roads all too often—and perhaps even usually--become permanent routes as a result of ineffective closures. This is especially the case with temporary roads constructed for logging purposes and for bulldozer lines constructed during wildfires.

19-108 ***Recommendations***: BLM must disclose and discuss the adverse ecological and social (especially recreational and cultural) impacts of road construction in the Alturas Proposed RMP/Final EIS.

Utilities – see comments under other headings.

Visual Resource Management – see comments under other headings.

Wildlife and Fisheries

A. Eagle Lake Field Office

We strongly support the proposal in the Preferred Alternative to assert riparian rights on all perennial and important intermittent streams (page 2-181). This will greatly benefit both wildlife and people in the arid Eagle Lake region.

19-109 The successful reintroduction of bighorn sheep to the Eagle Lake Field Office should be one of the BLM's highest priorities. At least one of the alternatives should propose to retire sheep allotments in strategic locations to facilitate the reintroduction of bighorn more quickly.

We support the proposal in the Preferred Alternative to manage between 2,100-3,150 acres of aspen, black oak and buffaloberry sites as special habitats (page 4-349).

B. Surprise Field Office

We support the proposal in the Preferred Alternative to restore 50-100 acres of degraded grasslands and 500-4,000 acres of shrub-steppe annually (page 2-83).

19-110

The reestablishment of a healthy and viable bighorn sheep population in northeastern California should be one of the BLM's highest priorities. The Preferred Alternative does not contain adequate safeguards for bighorn sheep given that domestic sheep grazing will continue in certain allotments unless there is "evidence of disease transmission" between domestic and wild sheep (page 2-119). Given the fast pace of bighorn sheep deaths in the Warner Mountains and adjacent to Lava Beds National Monument in the 1980s once the blue-tongue illness began to spread to these populations, we urge the BLM to adopt the bighorn sheep protection measures described in Alternative 2 (page 2-118) as the Preferred Alternative in the final version of the RMP. This is absolutely essential given that according to the Draft RMP bighorn sheep are beginning to enter the Warner Mountains once again (page 3-107). The DEIS fails to discuss the positive benefits for bighorn sheep offered by Alternative 3 and the risks for and potential negative impacts on bighorn sheep under of the Preferred Alternative.

Sage Grouse Protections and Oil & Gas Development

1. The Draft RMPs do not provide sufficient protections for sage-grouse.

The Alturas, Eagle Lake and Surprise Field Offices all contain significant habitat for sage-grouse. BLM has recognized the importance of managing sage-grouse habitat on public lands, establishing a *National Sage-grouse Habitat Conservation Strategy*, which is a comprehensive approach to the management of sage-grouse habitat on public lands. In its National Sage Grouse Habitat Conservation Strategy, BLM acknowledges both the amount of habitat under its control and the importance of its management, stating: "As the land manager of almost half of the remaining sagebrush habitat, BLM plays a key role in conserving sage-grouse and sagebrush habitat." *National Sage-Grouse Habitat Conservation Strategy*, November 2004, p. 3.

BLM's sage-grouse guidance prescribes identifying habitat at risk, prioritizing protection and restoration, and doing so through land use planning. The Conservation Strategy is based on a preliminary assessment of sage-grouse populations and habitat status, trends and threats across the eleven contiguous Western states, with a commitment to ongoing information collection and implementation. Based on this information, the agency is to "use the best available science" to develop conservation measures and then make necessary management decisions and implement "on the ground actions to conserve and restore sage-grouse habitats," with land use plans and associated implementation plans serving as "the principal mechanisms" for doing so. *National Sage-Grouse Habitat Conservation Strategy*, p. 7. In order to make appropriate decisions for conserving and restoring habitat, the Conservation Strategy and the related planning guidance prescribe identifying:

- current condition and extent of habitat for sagebrush-obligate species;

- areas of highest priority for protecting, maintaining and restoring habitat, taking into account size, condition and connectivity of habitat areas; and
- management opportunities to respond to identified issues or conflicts.

National Sage-Grouse Habitat Conservation Strategy, 1.3.1 Guidance for Addressing Sagebrush Habitat Conservation in BLM Land Use Plans, November 2004, p. 4.

This approach to measuring the condition of habitat and then taking action through land use planning decisions to both safeguard existing habitat and create additional habitat through restoration can and should be applied to the Alturas, Eagle Lake and Surprise RMPs. In considering potential ACECs, the Alturas and Surprise Draft RMPs cite the presence of sage-grouse habitat as the basis for finding the relevant and important values needed to justify ACECs. See, Appendix E to Alturas Draft RMP and Appendix E to Surprise Draft RMP.

Although the RMPs recognize the existence of specific conservation strategies for various management units and even reference their goals for protecting sage-grouse habitat, the management prescriptions do not reflect the "best available science" or provide sufficient protections for sage-grouse habitat. For instance, the Alturas Draft RMP includes an Appendix K, Energy and Minerals Surface Use and Occupancy Requirements, which sets out specific restrictions for new leases, but the other RMPs do not include specific stipulations. The Eagle Lake Draft RMP contains an Appendix H, RMP Alternatives Necessary to Ensure Compliance with the Conservation Strategy for Sage-Grouse and Sage-brush Ecosystems within the Buffalo-Skedaddle Population Management Unit, which identifies some protective measures but does not address oil and gas development at all. In addition, there is excessive variation among the types of protective measures incorporated in the three RMPs. The lack of consistency, specificity and enforceability in protective measures renders the RMPs noncompliant with BLM's obligations and commitments to conserve sage-grouse habitat.

A comprehensive analysis of causes of damage to sage-grouse habitat and specific management prescriptions needed for conservation and recovery of sage-grouse habitat has been prepared by Dr. Clait E. Braun, a recognized expert in sage-grouse and their habitat. Dr. Braun's *A Blueprint for Sage-grouse Conservation and Recovery* includes detailed recommendations for managing activities on public lands to protect sage grouse, including oil and gas development, fire, grazing, and roads. We have **attached** a copy of these recommendations and incorporate them herein by reference.

General Recommendations: The RMPs should incorporate the management measures discussed in *A Blueprint for Sage-grouse Conservation and Recovery*. The form of these directives could be in a similar form to the referenced appendices to the Eagle Lake and Alturas RMPs, but must
19-111 set out specific protective measures, be explicitly incorporated in the RMPs and made mandatory. BLM should consider closing areas to mineral leasing to protect sage-grouse habitat. Further, oil and gas lease stipulations must specifically limit the reasons that exceptions, modifications or waivers can be granted. Also, the RMPs all leave room to expand protections as additional habitat is found, so we would recommend a specific inventory, monitoring and identification program for sage-grouse habitat. BLM should also consider designating ACECs to protect sage-grouse habitat (see specific recommendations under Special Management Areas, ACECs: both the Alturas and Surprise Draft RMPs identify the presence of sage grouse habitat as support for the preliminary relevance and importance findings. BLM managed lands in the Eagle Lake FO also contain important sagebrush and sage-grouse populations which are

threatened by cheat grass infestations, juniper encroachment and other factors. The need to conserve and restore sage-grouse and their habitat justifies the need for especially protective management to avoid harm.

Specific analysis of the proposed management of sage-grouse habitat in each RMP and additional recommendations are set out below.

A. Alturas RMP

Appendix K sets out Energy and Minerals Surface Use and Occupancy Requirements. Appendix K will apply to new leases, which range from 50,000 acres open to leasing in the Ecosystem Restoration Alternative to 200,000 acres open in the No Action and Traditional Uses
19-112 Alternatives and 190,600 acres open in the Preferred Alternative. The failure to make a significant closure in any but the Ecosystem Restoration Alternative indicates that BLM has not met its obligation to consider a true range of alternatives and improperly skews the balance of values in the RMP. *See* 40 C.F.R. §§ 1502.14(a) and 1508.25(c).

Conditions in Appendix K include no surface occupancy (NSO) restrictions on oil and gas development activities within ¼ mile of leks. No new drilling will be permitted within 200 meters of known leks. The Draft RMP identifies 12 known leks, but notes that restrictions will apply to more leks if they develop. No drilling or seismic activities will occur in sage-grouse habitat from March 15th through June 15th, while all other activities will be permitted except between 3:00 a.m. and 9:00 a.m. However, exceptions to these restrictions can be granted.

The section on sagebrush ecosystems generally discusses using conservation strategies, referencing the *Conservation Strategies for Sage-Grouse and Sagebrush Ecosystems within the Buffalo-Skedaddle, Likely Tablelands/Rocky Prairie and Devil's Garden/Clear Lake Population Management Units*. Both the goals set out in the Draft RMP and the referenced conservation strategies recognize the importance of protecting sage grouse habitat and sagebrush ecosystems.
19-113 However, these strategies do not tend to provide sufficiently protective, clear or enforceable management actions.

The RMP recognizes sage grouse habitat as a qualification for relevance and importance for ACECs (Appendix E). There is specific discussion with regard to the Tablelands/Yankee Jim/Fitzhugh Creek ACEC.

Additional recommendations: BLM should consider closing additional acreage in the Alturas
19-112 RMP to oil and gas leasing in order to protect sage-grouse habitat. While the goals and protections identified in the Draft RMP are helpful, they are not sufficient and should be expanded and clarified to comply with the attached *Blueprint for Sage-grouse Conservation and Recovery*.

B. Eagle Lake RMP

The Draft RMP includes as Appendix H "RMP Alternatives Necessary to Ensure Compliance with the Conservation Strategy for Sage-Grouse and Sage-brush Ecosystems within the Buffalo-Skedaddle Population Management Unit." While this appendix includes some helpful conditions
19-114 and restrictions on activity, it is not sufficient to protect the populations in the area. Appendix H does not address oil and gas development at all, despite the fact that this has proven to be one of the most damaging activities to sage-grouse habitat and is permitted in the majority of the planning area.

19-115 For ORV use, the document states both that ORV trails should be closed where use is adversely impacting nesting and that ORV use should be restricted once monitoring data confirms that it is a disturbance to lek activity, both only "as necessary." These statements would be more likely to benefit the sage-grouse if there were more clear standards and commitments to both monitoring and enacting/enforcing restrictions. Unfortunately, Appendix H is only generally referenced in the management alternatives and in other sections of the Draft RMP as a conservation strategy.

19-116 The Preferred Alternative prescribes no surface occupancy (NSO) stipulations for oil and gas activities within .25 to .6 miles of leks and no structures that could serve as raptor perches would be allowed within 2 miles of active leks. This Alternative mentions the need to conduct oil and gas activities in a manner "consistent with" the conservation strategy for the Buffalo-Skedaddle population management areas, but does not mention Appendix H or provide any other detail.

19-117 The oil and gas management in the Ecosystem Restoration Alternative has conflicting and unclear restrictions. It states that lands within .25 mile of leks or know/occupied habitat would be closed, but then also states that there will be an NSO stipulation applied to oil and gas activities within .25 mile of leks (which would not be needed if these lands are truly closed). Other stipulations would apply to lands between .6 and 2 miles from leks, but the "suitable buffers" would be determined as important habitat is located. This last condition is lacking in clarity and also leads to a question about protection for areas between .25 and .6 miles from leks. The Traditional Uses Alternative provides generally for "restrictions" to apply within .5 mile of leks.

19-114 through 19-117 ***Additional Recommendations***: The RMP should clearly identify and incorporate more stringent protective measures, including for oil and gas development and ORVs, as identified in the *Blueprint for Sage-grouse Conservation and Recovery*.

C. Surprise RMP

19-118 The Preferred Alternative in the RMP does not mention any restrictions at all for oil and gas development to protect sage grouse and would leave almost all of the field office open for leasing with only a small percentage of that having any types of restrictions. This is a clear failure to fulfill BLM's obligations under the Sage-grouse Conservation Strategy. Only WSAs are closed to oil and gas leasing. Given that the Surprise planning area is identified as low to non-existent potential for oil and gas, leaving the vast majority of the field office open seems unnecessary.

19-119 Both the Ecosystem Restoration Alternative and the Traditional Uses Alternative would apply seasonal restrictions within .25 miles of a lek, but these would apply in known habitat only and then could be supplemented as new "important habitat" is identified. The inadequacies of sage-grouse protections in all of the alternatives for the Surprise RMP are obvious in comparison to those included in the other RMPs and those in the attached *Blueprint for Sage-grouse Conservation and Recovery*.

19-120 The management alternatives section on sagebrush ecosystems generally discusses using conservation strategies and sets out very broad goals for management. While the Draft RMP appears to recognize the importance of protecting sage grouse habitat and sagebrush ecosystems, there are not sufficient management prescriptions or commitments of any kind to fulfill these goals.

19-118 through 19-120 ***Additional Recommendations***: The RMP must include specific protections for sage-grouse habitat, including from oil and gas development, as identified in the *Blueprint for Sage-grouse Conservation and Recovery*. BLM should consider closing additional acreage in the Surprise RMP to oil and gas leasing in order to protect sage-grouse habitat.

2. The Draft RMPs should incorporate best management practices for oil and gas development activities.

Significant portions of all three RMPs are open to oil and gas development. However, none of the RMPs require or even discuss the use of best management practices (BMPs), which can drastically reduce the impacts of oil and gas development on the other natural resources of the public lands.

BLM's guidance requires consideration of BMPs for oil and gas development. BLM's Instruction Memorandum 2004-194 directs consideration of BMPs and both the IM and the recently updated Gold Book provide examples of BMPs that can be applied to both new and existing leases, in order to limit the damage from oil and gas development. It is critical that the RMPs consider and make BMPs mandatory in order to comply with BLM's guidance and obligations to protect the many natural values of these lands.

19-121 **Recommendation**: All three RMPs must identify BMPs and make them mandatory, especially in sensitive areas. BMPs should include:

- Phased or strategic development - in terms of timing (developing one area, then restoring before moving to another), location (such as staying out of big game corridors), limiting amount of equipment in use at any given time, limiting amount of surface disturbance on a lease at any given time and requiring successful restoration before permitting additional disturbance;
- directional drilling;
- clustered drilling;
- closed loop drilling;
- interim reclamation;
- restoration standards;
- unitization; and
- increased bonding.

Fire Management

A. Eagle Lake Field Office

We support the Preferred Alternative's proposed use of the AMR method which can range from simply monitoring a fire to full suppression (page 2-25) and the proposed utilization of wildland fire use and prescribed fire on as much as 15,000 acres per year (page 2-8). We are disappointed however that a larger area is not slated for wildland fire use and in the Draft RMP's prediction that AML will result in full suppression 90-95 percent of the time (page 4-43).

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19-123 While the Eagle Lake Field Office Draft RMP states on page 2-34 that forestry practices will focus on restoring the natural fire regime the plan does not describe the specific silvicultural prescriptions that will be used to achieve this end. We request that the Final RMP include

19-123 specific provisions to restore natural fire regimes, such as an upper diameter limit on the size of trees to be cut so that the largest and most fire-resistant trees in each stand are retained.

B. Alturas Field Office

We support the proposal in the Preferred Alternative to burn up to 10,000 acres annually using prescribed fire and wildland fire use (page 2-8). We also support the proposal to use AMR as the primary fire management strategy most of the Alturas Field Office (page 2-33). However, we

19-124 believe that a larger portion of the Alturas Field Office should be managed for wildland fire use than the nearly inconsequential 3 percent proposed in the Preferred Alternative. The Draft RMP and DEIS fail to fully analyze the ecological consequences of allowing fuels to accumulate to a potentially catastrophic extent under a partial or full-suppression regime.

Logging is one of the most critically important factors in fire management. Large-diameter trees are the most resistant to fire while small trees, especially those that are clustered in post-clearcutting thickets, are the most vulnerable. We were very disturbed to find that the Preferred Alternative proposes to target "over-mature" forest to reduce fire danger (page 2-43). Even the

19-125 U.S. Forest Service (at least in California) has largely stopped using this outdated term and acknowledges that forests dominated by large, old trees are the most resistant to fire. While we welcome the adoption of an upper diameter limit on the size of trees to be cut during logging operations in the Preferred Alternative, we submit that a 30" diameter at breast-height (DBH) size limit is simply too large given that one can walk for hundreds of yards through the majority of the forested lands of the Alturas Field Office, Lassen National Forest and Modoc National Forest without ever encountering a tree of that size or greater. We therefore request that BLM change the Preferred Alternative in the final version of the RMP to include a provision that the largest and oldest trees in each stand be retained as well as all trees over 30" DBH so that late-successional habitat can be restored over time, and so more fire-resistant forests can be fostered.

C. Surprise Field Office

We support the Preferred Alternative's proposed use of the AMR method which can range from simply monitoring a fire to full suppression on over a quarter of the Surprise Field Office area

19-126 (page 2-27). However, the fire map for the Preferred Alternative (Fire-1) shows that over half of the Surprise Field Office will be managed under AMR, and while the map legend states that yellow is limited "mainly to full suppression," there is no yellow area shown on the map. There is also a dark green area shown on the map but the significance of the color is not explained in the legend. Please resolve these problems in the final version of the RMP.

Logging is one of the most critically important factors in fire management. Large-diameter trees are the most resistant to fire while small trees, especially those that are clustered in post-

19-127 clearcutting thickets, are the most vulnerable. We were therefore very disturbed to find that the Preferred Alternative proposes to target "over-mature" forest to reduce fire danger (page 2-36). Even the U.S. Forest Service (at least in California) has largely stopped using this outdated term and acknowledges that forests dominated by large, old trees are the most resistant to fire.

Recreation

We support the Alturas Preferred Alternative's proposal to develop several new non-motorized

19-128 trails as described on pages 2-118 and 1-119 and we request that this proposal be codified in the Final RMP.

We also strongly support the Eagle Lake Field Office's aggressive proposal in the Preferred Alternative to establish many miles of new non-motorized trail. However, note that the Draft RMP states at one point that 277 miles of non-motorized trails will be developed (page 2-135)
19-129 and at another that 264 miles will be developed (page 4-110). Please clarify the number in the final version of the RMP. Either way, we commend the BLM for its visionary plans to meet future non-motorized recreation demands.

Thank you again for the opportunity to comment on the draft Resource Management Plans and Environmental Impact Statements for the Alturas, Eagle Lake and Surprise Field Offices. We request that you respond to the comments we have provided in this document in detail so that we can see how the BLM has incorporated our critiques and recommendations into its management plan. Additionally, in order that we may continue to be a part of this planning process please include us in all future correspondence related to these documents. We are available to discuss our concerns further at your convenience. If you would like to talk with us or have any questions, please contact the undersigned.

Sincerely,

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July 27, 2006

Owen Billingsley
Field Manager
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130

Subject: Draft Environmental Impact Statement (DEIS) for Surprise Field Office Resource Management Plan (CEQ# 60152)

Dear Mr. Billingsley:

The U.S. Environmental Protection Agency (EPA) has reviewed the DEIS referenced above. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. Our detailed comments are enclosed.

This Resource Management Plan (RMP) and related DEIS provide direction for managing the public lands in the Surprise Field Office planning area (approximately 1,220,644 acres). This RMP was developed in coordination with the Alturas and Eagle Lake Field Office RMPs as they will provide the framework for land management in northeast California and northwest Nevada. The DEIS notes that population growth near the project area has increased the demand for use of public lands to support community needs and provide recreation opportunities.

The DEIS evaluates four action alternatives that propose different management strategies for natural resource uses (including recreation, grazing, and energy and mineral resources). The Preferred Alternative in the DEIS is a result of the combination of management actions from the other three alternatives analyzed. While we recognize the need to balance the multiple resource uses in the area, we have concerns with the impacts to vegetation, soils, and riparian areas as a result of the Preferred Alternative and have rated this document as Environmental Concerns, Insufficient Information (EC-2) (see enclosed "Summary of Rating Definitions").

In particular, we note that the Preferred Alternative will have impacts to vegetation and water resources due to competition for necessary resources, degradation of wildlife habitats, and increased levels of harassment, with many of the additional impacts stemming from Off-Highway Vehicle (OHV) use (p. 4-245). Given these foreseeable impacts, we recommend that the Preferred Alternative be adjusted to incorporate a few of the minimization measures from Alternative 2, the Ecosystem Restoration or Protection Alternative.

We also request that additional information be included in the FEIS regarding the ability to meet the Rangeland Health Standards and Guidelines in Appendix B, monitoring and mitigation timelines for vegetation impacts, and mitigation measures to reduce impacts to water quality and air quality as a result of the project.

We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send (3) copies to the address above (mailcode: CED-2). If you have any questions, please contact me at 415-972-3988 or Summer Allen, the lead reviewer for this project. Summer can be reached at 415-972-3847.

Sincerely,

Duane James, Manager
Environmental Review Office

Main ID # 4822

Enclosures: Summary of Rating Definitions
Detailed Comments

EPA DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR SURPRISE FIELD OFFICE RESOURCE MANAGEMENT PLAN, JULY 27, 2006

Vegetation Impacts

The document notes that livestock grazing has widespread cumulative impacts to vegetation (p. 4-146). In particular, impacts to vegetation from the preferred alternative will result from mineral development, OHV use, and livestock trampling (p. 4-139, 144-6). In addition, OHV use is projected to increase dramatically during the life of the plan. The mitigation measures included in Alternative 2 would offer additional protection to vegetation. For example, Alternative 2 would restore native rangelands through resting each allotment every two to three years, with 40,685 Animal Unit Months (AUMs) active annually and reestablishes special status species through restoration of suitable degraded habitat. We note that overgrazing and a reduction in vegetation would also result in secondary impacts to cultural resources in the area (p. 3-21).

Rangeland health conditions are reported annually to monitor for impacts resulting from rangeland management (Appendix B, p. A-22). However, it is unclear how the applied AUMs would respond to these changing conditions. In addition, Appendix C includes the Northeast California Resource Advisory Council Recommended OHV Management Guidelines, but the DEIS does not include a monitoring timeline to ensure that these guidelines are met.

Recommendations:

20-1 The FEIS should consider including portions of the minimization measures included in Alternative 2, such as a reduction in AUMs or a reestablishment of special status species.

20-2 The FEIS should ensure that future AUMs are based on the annually-reported rangeland health conditions. It should also ensure that the Guidelines in Appendix C are

20-3 considered in monitoring efforts for project impacts. In particular, the FEIS should discuss monitoring to comply with Guideline 2 (ecological degradation from OHV use) and Guideline 14 (monitoring for utilization and impacts).

Soils Impacts

The primary indicators for evaluating the condition of soil resources are soil stability and hydrologic function, which are part of BLM's Land Health Assessment (LHA) (p. 4-102). The indicators for the LHA are influenced in part by soil compaction and erosion from ground disturbances, livestock distribution, and roads. Minimization measures in Alternative 2 limit or exclude activities that would cause further damage to soils (p. 2-129) and this alternative would have beneficial effects to soils as a result of 100 foot buffers in riparian areas. Additionally, Alternative 2's exclusion of OHV travel from Massacre Beach and Bitner Ranch would also help minimize impacts to soil resources. Massacre Beach and Bitner Ranch have been nominated as Areas of Critical Environmental Concern (ACEC). These are areas for which special management attention is required to protect and prevent irreparable damage to resources (p.3-60).

Recommendations:

20-4 BLM should consider including buffer zones in riparian areas and restricting OHV travel in the proposed ACECs to reduce soil erosion from livestock use.

20-5 FEIS should discuss monitoring to comply with Guideline 9 in Appendix C (soil erodibility from OHV use).

Rangeland Impacts

The Draft Environmental Impact Statement (DEIS) states that 23% of all rangelands (333,332 acres) in the Surprise Field Office planning area are designated as Category 1, areas in which rangeland health standards are not being met and livestock grazing is a significant contributor to the problem. Duck Lake, Home Camp, Bull Creek, Wall Canyon East, Board Corral allotments are not meeting rangeland health standards and recent livestock grazing is a primary cause. However, the preferred alternative makes no changes in the active or authorized 92,465 animal unit months (AUM) over current conditions (p. 2-44). It also notes that an increase to 97,088 AUMs could occur based on forage availability and improved livestock distribution (p. 4-75) but there is no information regarding the monitoring strategy on which this would be based.

Appendix B includes the Standards for Rangeland Health and Guidelines for Livestock Grazing Management. However, it is unclear how BLM will implement and meet these guidelines. In particular, Guideline 3 calls for periods of rest from grazing during/after periods of stress on the land (p. A-17), but there is no indication of the monitoring schedule to identify these impacts.

Recommendations:

20-1 BLM should consider some reduction in actual AUMs in the Surprise Field Office planning area, with a focus on Category 1 allotments.

20-6 The FEIS should discuss monitoring to comply with Guideline 3 in Appendix C.

Water Quality Impacts

Grazing and OHV use can significantly affect the functioning condition of wetland and riparian areas over the long term by increasing erosion, compaction, sedimentation, and runoff rates. These impacts lead to changes in channel geomorphology and water quality, including increases in temperature, nutrients, fecal coliform, total suspended solids, turbidity, and other contaminants. Table 3.17-1 shows the water quality conditions to key streams in the Surprise Field Office planning area and many of the streams are not meeting state standards, beneficial use needs, or water quality criteria in the standards and guidelines. However, there is no water map included that allows an overlay of the proximity of OHV routes, areas of soil degradation, or roads to degraded watersheds. It is unclear from the document how monitoring and future grazing and OHV management will assist in moving these streams towards better functioning condition. In particular, we note that the Preferred Alternative does not include the construction of fences or exclosures to protect streams, springs, and riparian areas as proposed in Alternative 2 (p. 2-141).

Recommendations:

20-7 The FEIS should include a map showing the watersheds and the related water quality
20-8 conditions of the key streams. It should describe how streams not meeting water quality standards will be incorporated into plans for exclosures and other mitigation methods under the Preferred Alternative.

20-9 FEIS should discuss monitoring to comply with Guideline 12 in Appendix C (protection of water quality).

Air Impacts

For air impacts, the document notes that "suitable management practices would be applied in compliance with NEPA"(p. 4-6). However, other than the concentration of prescribed burning in spring and fall, additional management practices to reduce air impacts from project activities, such as mineral leasing and OHV use, are not outlined here. This is increasingly important as up to 30 exploration projects are expected within the next 15 to 20 years.

Recommendations:

20-10 The FEIS should include additional information regarding the measures that will be used to reduced air impacts from project activities such as mechanical treatments, mineral activities, and OHV use.

State of California – The Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Northern California- North Coast Region
601 Locust Street
Redding, California 96001
(530) 225-2300

ARNOLD SCHWARZENEGGER, Governor

July 25, 2006

Ms. Sue Noggles
Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130

Dear Ms. Noggles:

Bureau of Land Management (BLM) Surprise Field Office
Draft Resource Management Plan (DRMP) and
Draft Environmental Impact Statement (DEIS)

The Department of Fish and Game (DFG) has reviewed the subject DRMP and DEIS. The intent of these documents, developed with the general public, BLM staff, and cooperating agencies input, is to produce a comprehensive management strategy which will guide future management of public lands administered by the Surprise Field Office. The Surprise Field Office manages approximately 1,220,644 acres of BLM land in northeastern California and northwestern Nevada including many areas containing habitat critical to California's fish and wildlife resources. As a cooperating agency and California's trustee agency for fish and wildlife resources, we are pleased to offer the following comments for your consideration. We respectfully request actions included in these comments be incorporated into your plan in a manner which will effectively protect these resources throughout the life of the Resource Management Plan (RMP).

DFG considers the ecosystems in the Surprise Field Area particularly significant for fish and wildlife in northeastern California and northwestern Nevada. We include northwestern Nevada throughout these comments because the Surprise Field Office includes portions of adjacent Nevada and because many important species of wildlife (sage grouse, mule deer, pronghorn, etc.) are migratory and rely on BLM lands in adjacent Nevada for seasonal needs.

Sagebrush is an important community and should be retained and supported. Sagebrush dependent wildlife species include sage grouse, pygmy rabbit and numerous passerine birds as well as big game mammals such as pronghorn antelope and mule deer. Primary threats to this ecosystem in the Great Basin include wildfire, western juniper invasion, and some grazing regimes by both domestic livestock and wild horses.

Sagebrush ecosystems are essential for sage grouse conservation. Dense stands of sagebrush are very important to sage grouse as they are one of the only bird species that extensively eat sagebrush. The DRMP acknowledges the need to protect breeding habitats (strutting grounds, foraging, and nesting habitat) for sage grouse. All alternatives excluding Alternative 1 (Economic) promotes rapid recovery of sage-steppe community; however this is not a priority on any of the alternatives. All alternatives prioritize restoration treatment by prescribed fire, mechanical and manual treatments. DFG is concerned with the use of fire to manage this habitat as fire is very hard on sagebrush. As sagebrush grows slowly, these communities can take 25 or perhaps even 100 years to recover from fires.

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Development of future utility corridors, microwave towers, wind energy sites, and similar facilities may place sage grouse at an even higher risk for population declines and lead to possible listing as threatened or endangered under the Endangered Species Act. DFG believes that all future overhead lines and towers should be sited along existing power lines. No new right-of-ways should be established outside of existing corridors. Previously designated utility corridors that have not been built should not be used where placement of new lines adjacent to existing lines can fulfill the need. Impacts to California sage grouse can be reduced by avoiding sage grouse habitat and placing new lines as close as possible to existing lines.

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Additional shrub-steppe ecosystems found in the Surprise field office area are those which support bitterbrush, mountain mahogany, and various shrubs of the genus *Prunus.* These shrubs are critical for maintenance of mule deer populations on both summer and winter ranges and more than 170 species of birds and mammals live in sage-steppe grasslands.

DFG agrees and supports the BLM Surprise Field Office on the removal of invasive Western juniper to improve land health and to benefit sage grouse and big horn sheep lambing habitat. Emphasis on the age and/or density of junipers to be removed is crucial to decisions involving where to cut. While emphasis on dense crowns and equipment access may be suitable for biomass removal, low density, small sized junipers are much more efficient to attack by hand methods on an "invasion front". Hand (chain saw) follow-up should take place on all removal sites (especially biomass equipment projects) to eliminate crown or

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stump sprouting. Prescribed fire should be specifically avoided as a method to control juniper. Shrub, grass, and forb recovery may be lost through prescribed burning. Post juniper removal project land uses need to be evaluated for the impact of livestock grazing on subsequent revegetation. Post-project grazing intensity can determine if a site reverts to a forb, weed, grass, or shrub dominated habitat.

DFG concurs with BLM regarding current fish issues and plans that protect and manage fish species of special concern. Functioning riparian, wetland, and spring sites are essential for all aspects of land health and fish and wildlife use. The potential for diverse fish and wildlife species occupation is based upon the structure and species of associated vegetation. Primary threats to riparian vegetation in this area include damage caused by grazing domestic livestock and wild horses as well as potential future water diversions. Wildlife friendly fences or enclosures should be constructed to protect springs, streams, riparian and other habitats from livestock grazing. Considerations of pronghorn and other wildlife in the area need to be addressed.

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Pronghorn antelope are particularly susceptible to conflicts with livestock fencing. In order to minimize impacts on pronghorn, deer migration and injury or mortality, all fences should be 3 or 4 horizontal wire, total height no more than 42 inches with no hog wire or nonhorizontal stranding (chain link prohibited). The bottom wire should be smooth, 18 inches above ground, and the 2 top most strands should be no less than 10 inches apart. Post spans greater than 12 feet should include a single vertical wire stay on all enclosures to reduce direct mortality and to reduce predation of pronghorn and deer that may be associated with fences.

The aspen ecosystem value to wildlife is nearly as great as riparian systems. Notable associated wildlife includes mule deer summer range and fawning sites, critical nesting and forage sites for migratory and resident birds, forage sites for mammals, and nest sites for northern goshawks at some locations. The diversity and abundance of wildlife occupation of aspen stands are directly proportional to the structural and age diversity of the stand. Primary threats to this ecosystem include grazing (timing and intensity) as well as invasion by western juniper. DFG agrees with BLM that meadows and aspen stands with significant wildlife habitat value should receive priority for additional livestock exclusion. Furthermore, because of their inherent value DFG requests

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that all large aspen stands be excluded from livestock grazing whether they have been studied for significant wildlife value or not. Aspen can be enhanced by judicious use of mechanical treatment (removal of encroaching juniper, for example) and prescribed fire but care must be taken as they can also be severely damaged by fire that is too hot.

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California bighorn sheep are listed as a threatened species in California. Reintroduction efforts into the Surprise Area have been successful. The largest decimating factor now affecting bighorn sheep populations is fatal pneumonia disease which is transmitted by domestic sheep. The document states "Grazing of domestic sheep would continue on the Tuledad, Selic-Alaska, and Red Rock Lake allotments, providing there is no evidence of disease transmission from domestic to bighorn sheep. If such evidence does appear, sheep permits would be converted to cattle use" (Page 2-44). Converting sheep permits to cattle permits after the disease is transmitted to bighorn sheep does not provide the required protection for this threatened species. During the winter of 1987-1988, the entire population of the Warner Mountains bighorn sheep population (55-60 animals) died from what was suspected to be a bacterial pneumonia (*Pasturella haemolytica*) possibly borne by domestic sheep or goats (California Bighorn Sheep Recovery and Conservation Guidelines for Northeastern California June 1991). The grazing policies set fourth and adopted by BLM in the "Mountain Sheep Ecosystem Management Strategy in the 11 Western States and Alaska." U.S. Department of Interior, Bureau of Land Management, (September 1995) (MSEMS), requires that "Reasonable efforts must be made by domestic sheep permittees and wildlife and land management agencies to minimize the risk of disease transmission, and to optimize preventive medical and management procedures, to ensure healthy populations of bighorn sheep and domestic sheep." Adequate buffers to prevent physical contact between bighorn sheep and domestic sheep must be established if they do not currently exist.

The document states "Request for conversion of cattle to sheep use would be considered on the Tuledad, Selic-Alaska, and Red Rock Lake allotments, and in other areas that are a minimum of nine miles from occupied bighorn sheep habitat. In DFG's opinion, it could be detrimental to bighorn sheep populations to convert existing cattle permits to sheep permits in or near bighorn sheep habitat . DFG believes that no new sheep permits should be allocated and sheep permit numbers should be lowered as necessary to protect the current meta-populations of the introduced bighorn sheep as well as bighorn sheep habitat where populations could be introduced in the future. With regards to trailing sheep within nine miles of occupied bighorn sheep habitat within the Tuledad, Selic-Alaska, and the Red Rock Lake allotments, pursuant to the MSEMS, it should only be permitted when safeguards can be implemented to adequately prevent physical contact between bighorn sheep and domestic sheep.

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Grazing in the Great Basin and intermountain west is one of the greatest threats to biodiversity in this region. Proper monitoring, surveys, and evaluations of grazing land will be needed to identify problems and to properly implement adaptive management programs. Corrections and remediation should be required of leasees if negative consequences are detected. Monitoring and surveys should use accepted methodologies and be conducted by objective investigators to provide information that will help meet the standards of a healthy rangeland. It is DFG's opinion that allotments should be suspended if monitoring and evaluations show that an allotment is operating outside of prescribed allotment conditions, or where allotment activities have or are creating damage to the native ecosystems. DFG supports inclusion of increasingly more severe consequences for repeated violation of the allotment agreements and requests these be written into every allotment agreement so that performance expectations are clearly understood by both BLM and the allotment operator. For lands that are being reseeded and those areas affected by wildfire, prescribed fire, or mechanical treatment DFG supports the minimum land rest period from livestock grazing of two growing seasons. Recovery surveys should be completed and the land should meet carrying capacity standards before grazing is allowed back into these areas. All livestock salting sites should be at least .5 mile away from aspen groves, meadows, and riparian corridors so as not to encourage cattle use of these areas which could adversely affect the habitat.

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The DRMP states that rangeland health determinations have been made on 29 or the 49 grazing allotments, of the 29 assessed 6 allotments are not meeting rangeland health standards. DFG feels that all the remaining 20 allotments need to be assessed for rangeland health and new adequate AMPs need to be completed on all livestock grazing allotments before grazing is allowed to continue.

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DFG agrees with installing 2,000 acres of new enclosures to mitigate for livestock impacts on special habitats and archaeological sites. However, the DFG believes that the grazed area for wild horses and burros should not be increased from 36% to 40% as increasing this number may adversely affect fish and wildlife.

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DFG agrees and feels strongly that Off-Highway-Vehicle's (OHV's) use should be limited to designated routes, which would enhance recreation experiences by protecting natural settings. DFG further feels that all OHV events should be routed away (temporally and spatially) from conflicts with valuable wildlife habitat. Plant community, fire danger, soil characteristics and wildlife species occurrence should be the driving constraints for OHV organized events and/or any expansion of existing OHV use on BLM lands.

21-16 DFG supports the BLM Surprise Field Office goal to protect and enhance native plants and plant communities, providing for their continued existence, natural functioning, and successful reproduction. All proposed ground or habitat disturbing activities should be preceded with a rare plant survey using accepted methodologies and appropriately trained botanists.

DFG would like to thank you for the opportunity to comment on "The Surprise Field Office DRMP/DEIS." We welcome the chance to be of further assistance. If you have any questions regarding this information please contact Fish and Game Staff Environmental Scientist Bob Williams at (530) 225-2365.

Sincerely,

for DONALD B. KOCH
Regional Manager

cc: Mr. Bob Williams and Ms. Brandy Norton
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July 25, 2006

Surprise RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Planning Coordinator,

The purpose of my letter is to ask that additional property be included in the lands that are going to be considered for disposal in the upcoming Surprise RMP. The lands that we would like to be included are in the Duck Lake, Duck Flat area. The property that we would like to have included is as follows:

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TN: 37N	RNG: 19E
Sec: 7	SE1/4, SE1/4; NE1/4,SE1/4; NW1/4,SE1/4
Sec: 8	S1/2
Sec: 9	SE1/4,NE1/4; SW1/4; W1/2,SE1/4
Sec: 10	SW1/4,SW1/4
Sec: 12	SW1/4,NE1/4
Sec: 15	NW1/4,NW1/4
Sec: 16	NW1/4,NW1/4
Sec: 17	NE1/4,NE1/4

In addition, we have approximately 700+/- acres in the High Rock Canyon area that is under the Winnemucca Office. We would be certainly be open to discussions on a possible exchange of these properties for other lands in your area. Thank you very much for your consideration concerning our comments.

Sincerely,

Brad Kottinger
Duck Lake Ranch
18124 Wedge Pkwy. #530
Reno, NV 89511

KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF WILDLIFE
1100 Valley Road
Reno, Nevada 89512
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TERRY R. CRAWFORTH
Director

DOUG HUNT
Deputy Director

May 9, 2006

Mr. Dayne Barron
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130

Re: Draft Surprise RMP/DEIS

Dear Dayne:

The Nevada Department of Wildlife appreciates this review of the administrative drafts and opportunity to contribute to the development of Alternatives. Our agency is considered a Cooperating Agency and has attempted to participate as defined in 40CFR 1500 of the Federal Regulations.

Our agency input to this planning effort has been limited to several meetings to discuss the scope of issues and the concepts of Alternative development for this new Resource Management Plan. In general, the Preferred Alternative presents the Wildlife and Fisheries Program as a mitigation response to a variety of management actions of 21 other programs goals and objectives. Management Actions necessary to fully address the impacts to fish and wildlife resources are mixed throughout the document. As an example, the NorCal Fire Management Plan appears as a major federal action and land use plan amendment that would require federal notices and an environmental impact statement. Management Actions implementing this series of decisions are found in various Sections of these draft documents, and yet, the NorCal Fire Management Plan is not found within the text or Appendix. Our agency has no record of consultation or NEPA process of the preparation of the NorCal Fire Plan. In light of other land use plan amendments, the implementation of the 1999 Standards and Guidelines for Livestock Grazing Management is unclear and not consistent in the draft documents. Guidelines are the site specific Management Actions to achieve Standards and Desired Plant Conditions. Guidelines are intermittently mentioned and not fully

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assessed in the context of mitigation for wildlife habitat. For example, big game winter ranges are considered key habitats or crucial habitats to meet wildlife objectives. While Guidelines are clear about browse species class forms and proper utilization limits, these are not expressed in the Livestock or Wild Horse Sections of these documents. Without proper expression of Objectives and Management Actions, the RMP Alternatives are inadequate for meeting general wildlife goals or objectives.

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An important element and vital input to this planning effort is Nevada's resource management planning. These included Nevada's Comprehensive Wildlife Conservation Strategy, Mule Deer Species Plan, Partners in Flight, Elk Species Plan, Sage Grouse Conservation Plans and others. Several of these resource plans were not included in the text and none of these plans were expressed in other Sections for proper assessment or implementation. Implementation of these state resource plans will require proactive management goals, objectives and actions.

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SPECIFIC COMMENTS

Alternatives

3.8 Preferred Alternative

There is no reference to Wind Energy FEIS/ROD that amends this land use plan for land use practices outside of the previous MFP III Decisions. No Management Actions or mitigation measures are found in either planning effort. Areas of Avoidance or Exclusion were not found.

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2.4 Wild Fire Management

The NorCal Fire Management Plan serves as an amendment to the previous MFP III Decisions without the benefit of NEPA. Our agency has no record of this major federal action impacting the majority of resource programs of past and pending land use plan decisions. The actual NorCal Fire Management Plan is not found in the draft documents or appendix.

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Sage Grouse Conservation Planning identified fire suppression as a conservation measure to protect R-0 Sage Grouse Habitat. There is no reference or implementation of state resource plan goals, objectives or actions in the draft document.

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2.6 Fuels Management

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The Section makes assumptions that fire has a role as a natural component or element of restoration without any documentation of fire history in the area. The Vya and Massacre Sage Grouse Conservation Plans are not identified as planning elements of the Surprise Field Office. The Preferred Alternative implements 5,000 acres of prescribed burning specific to fuels and thousands of more acres for other objectives for the next 20 years. Our agency objects to the objective and its origin in land use planning.

2.8 Livestock Grazing

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Rangeland Health Assessments and implementation of the Susanville Resource Advisory Council Standards and Guidelines are present land use land decisions. Desired Future Condition is a factor to be determined in this RMP. Standard Operating Procedures should be included and details provided to assure the implementation of these Rangeland Federal Regulations. Desired Plant Communities should be included in the Wildlife Section.

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We support the restoration of riparian systems by designing water developments to support riparian systems rather than export water to stock tanks.

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Utilization limits on key species are elements of Guidelines and should not be considered Targets.

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Retired allotments should be allowed to be banked by the Bureau of Land Management. Specific provisions of the RMP should directly address this issue to create opportunities to better manage federal lands.

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The No Action Alternative does not mention Standards and Guidelines under the present land use plan decision.

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The Preferred Alternative must determine the Standard Operating Procedures that affect the determination of carrying capacities and allocation of forage to ungulates. Specie specific rangeland monitoring studies must be identified to deal with wild horses and pioneering elk. Without meaningful studies and fair evaluations, the resources will remain a political issue.

2.9 Recreation

23-15 Recreation on public lands will continue to increase and will require an intra-structure to support future demand. We are unaware of any BLM campground or facility within the influence of this plan in Nevada. We encourage the Field Office to propose future campgrounds.

2.10 Soils

23-16 Management refers to best management practices. This term is commonly used in reference to state water quality standards. The Nevada Bureau of Land Management develops best management practices to mitigate and protect wildlife habitat. We could not find the best management practices in the text or appendix. Narratives for Water Quality suggest the BMPs will be developed and are not known.

2.14 Travel Management

23-17 Our agency supports the designation of "Limited" to previously "Open" areas.

2.15 Utilities, Transportation and Telecommunications.

23-18 Wind Energy is not adequately assessed. In respect to the recent nationwide programmatic environmental impact statement, the RMP must address the impacts and mitigation. The draft document avoids the issue and does not designate areas of Avoidance or Exclusion.

2.16 Vegetation

23-19 It is difficult to determine the data that supports the rate of restoration of vegetation communities.

23-9 Desired Plant Communities are not defined by the five general plant communities. Without these essential elements in the land use plan, the goals, objectives and management actions cannot be measured, monitored or evaluated.

23-20 The introduction of fire and continuation of livestock management into these communities without the benefit of approved Guidelines, utilization limits, form class and other factors leave very few assurances that wildlife habitat will be maintained or

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restored. Throughout this Section, Potential Natural Community, Desired Plant Community, healthy vegetation conditions, potential natural vegetation conditions, normal functioning, properly functioning ecosystems and special habitats are expressed without definition, land use plan status or quantifiable management actions to achieve them. The lack of Standard Operating Procedures for the major uses leave wildlife as an obscure goal.

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The Preferred Alternative implements up to 4,000 acres per year of prescribed fire in the shrub-steppe community, 100 acres of prescribed fire in degraded grasslands, 5,000 acres per year of prescribed fire in the juniper community. The Fuels Program implements another 5,000 acres per year of prescribed fire for protection. These are major federal actions amended to the past land use plan by the NorCal Fire Plan without the benefit of consultation with Nevada Department of Wildlife.

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2.17 Noxious Weeds

The control of cheat grass may require the use of OUST or PLATEAU as herbicides.

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2.18 Special Status Plants

The Best Management Practices need to be included in the text or Appendix.

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2.19 Water Quality and Hydrologic Function

The text should define desired water quality standards, acceptable water quality for beneficial use and hydrologic function objectives. These are critical parameters that require monitoring and measurable aspects.

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We support the in stream flow concepts to support riparian and aquatic habitats. This effort might require a management action that would include joint filings for water rights to support riparian habitat.

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Best Management Practices must be included to meet the requirements for this land use plan.

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2.22 Wild Horses and Burros

Genetic viability and self-sustaining populations are requirements of the Act. In specific herd management areas where the appropriate management level cannot

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support a self-sustaining population the herd should be eliminated. In herd areas that do not have adequate water, cover and forage, these herds should be eliminated. Costs of artificially managing or herds dependent on private landowners are an excessive cost to limited budgets for wild horse and burro management.

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Monitoring studies must distinguish ungulate use and impacts for proper adjustments. Failure to properly monitor utilization limits or Guidelines will result in arbitrary allocation of available forage. Studies will be required to adjust and manage for pioneering elk.

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2.23 Wildlife and Fisheries

The text needs to include all habitat management plans, Nevada Comprehensive Wildlife Conservation Strategy, and Mule Deer Plan.

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Management Actions need to be included that identify the numbers of acres of habitat restoration accomplished per year. Water developments for wildlife need to be included and justified. Desired Future Condition needs to be identified by the five general vegetation communities and tiered to specific species of state resource plans.

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At a point in time when an elk herd becomes established, the implementation level resource activity plan with be the state's elk sub-herd plan.

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Fire rehabilitation plans must include recovery objectives for vegetation. The two year rest policy does not specifically rely on actual recovery criteria of the burn. This issue needs better clarification throughout the text.

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Sharptail Grouse have potentials for reestablishment.

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Objectives for Wildlife Habitats must include a complete description of Desired Future Condition with specific Management Actions to achieve them. These measures will be tiered to the present Standards and Guidelines. Management Actions Common to Alternatives must include the Standard Operating Procedures that will implement the Wildlife Objectives. These planning features might include Multiple Use Decisions scheduled for every three years.

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The General Aquatic Wildlife Survey is the mutual protocol for stream survey. This federal survey provides five habitat factors for objectives in land use planning. Data collected by our agency provides the necessary data for assessment and management.

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23-36 We suggest that these factors be introduced into the text with management actions to meet them.

Desired Plant Communities and Conditions for Key Wildlife Habitats

Wyoming Big Sagebrush Group 4,500 – 6,800 feet Slope 0-45% 6-13 inches precipitation

Canopy cover 10-30% Non-functioning condition: less than 10% canopy, with fire frequency 10-20 years, noxious weeds occupy greater than 5% cover.

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Mountain Big Sagebrush Group 6,000-10,000 feet, Slope 2-50%, 10-25 inches precipitation

Canopy cover 10-25% Non-function condition: less than 10% greater than 25% canopy, fire frequency less than 10 years, noxious weeds occupy greater than 5% cover.

Aspen Group 6,100-9,000 feet Slope 2-40% Groundwater greater than 100cm

Canopy cover greater than 40% with 500 plus stems per acre Non-function condition: less than 40% canopy cover, more than 50% parent trees, less than 500 suckers per acre, 5-30% scrub cover, head cutting present.

AFFECTED ENVIRONMENT

3.6 Fire and Fuels

23-37 Without the benefit of the NorCal Fire Plan, we were unable to determine the data and rationale for the 'historical fire regime'. Sage Grouse Conservation Plans requiring full suppression on R-0 Habitats. It would appear that the approved Fire Plan has a disconnected origin from the previous land use plan and state resource plans.

3.9.3 Current Livestock Grazing Conditions

23-38 t is unclear how Rangeland Health Guidelines are applied and are conditional to livestock grazing authorizations.

3.14 Utilities

23-39 Wind Energy and Transmission Corridor EIS's have an influence on this land use plan. It is unclear how these major projects are integrated into this RMP.

3.15 Vegetation

23-40 The Nevada Conservation Strategy Plan identifies 27 habitat types across the landscape. The RMP should assess their composition of these habitat types and establish a priority based upon threats and issues per species.

23-41 Recovery rates for Wyoming and Big Basin sage brush are estimated at 40 and 50 years, respectively. We are not aware of studies within the influence of this plan that support these assumptions. Nevada's Comprehensive Wildlife Conservation Strategy describes our state's composition of these communities and this RMP should determine its influence and priority on future management in respect to the landscape.

23-42 Juniper old forest stands provide important habitat to wildlife. These historical or potential sites need to be delineated to better address fire strategies.

23-43 Mountain browse species and communities need clear delineations and management actions to support big game species.

3.18 Wild Horses and Burros

23-44 Appropriate Management Levels are established by rangeland monitoring data and these numbers are subject to adjustment during scheduled evaluations. The AMLs of this RMP were determined over 10 years ago and are in need of scheduled evaluations.

23-45 Appropriate Management Levels on isolated herds that are below 120 adults are deemed below a genetic threshold. Recent studies show these herds cannot survive over the long term and should be considered for elimination in the new RMP.

23-46 Standard Operating Procedures should be presented to schedule evaluations, procedures to establish carrying capacities and allocate the available forage.

3.19 Wildlife and Fisheries

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Habitats are not described in terms of Desired Plant Condition or Communities. Wintering habitat for mule deer are critical to sustaining big game herds throughout the planning areas. R-0 Habitat has been delineated for sage grouse in two conservation plans that require fire suppression. Failure to establish the desired outcome, set goals, objectives and management actions in the RMP, the record of decision will not carry the necessary measures to properly protect and enhance wildlife resources.

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Areas of avoidance and exclusion are not completed to be in compliance with Wind Energy and Power Corridor Programmatic EIS and Decisions.

Environmental Consequences

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Legal authorities require livestock permits to be in compliance with Standards and Guidelines by a defined schedule. These matters should be specific in the pending Record of Decision.

4.1.2 Unavailable Information

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The NorCal Fire Plan is being fully implemented in the Alternatives. This land use plan amendment is not found in the draft RMP and our agency has no record of its development.

4.1.12 Mitigation

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Specifics of the NorCal Fire Plan continued to be present in the document without the presence of the actual document.

4.2 Potential Effects of Energy

23-4

Again, the areas of Avoidance and Exclusion are not presented in the RMP for programmatic EIS/RODs by BLM.

4.5.1 Incomplete Information

23-1 The NorCal Fire Plan is not present and no data is presented to support any assumptions concerning fire history or regime.

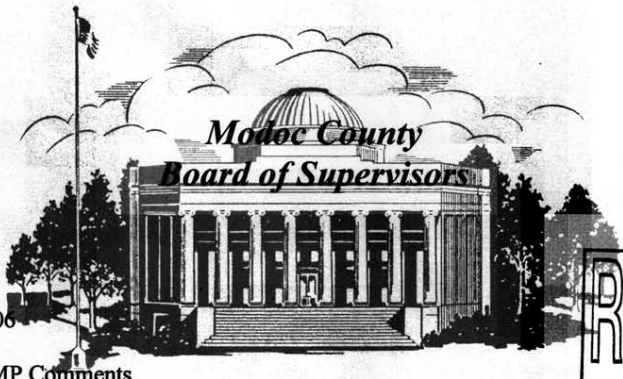
Summary

Our agency appreciates this review of the administrative draft RMP. At this time, we recommend that our agencies agree on Desired Plan Communities to establish true
23-9 goals, objectives and management actions. We continue to request the origin and final
23-1 copies of the NorCal Fire Plan. This land use plan amendment has significant influence on the pending RMP and critical wildlife habitats of the Surprise Field Office. As a cooperating agency we encourage the Field Office to consult our agency concerning the development of these Alternatives.

Sincerely,

Roy Leach
Western Region

cc. Chris Hampson, Ed Partee, Brad Bauman



MAXINE MADISON
County Clerk
and
Clerk of the
BOARD OF SUPERVISORS

Box 130
ALTURAS, CALIFORNIA 96101

(530) 233-6201
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July 25, 2006

Surprise RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

RE: Comments on BLM Surprise Field Office's Draft Resource Management Plan and Environmental Impact Statement

Dear Planning Coordinator:

The Modoc County Board of Supervisors (County) appreciates the opportunity to submit comments on the Bureau of Land Management's Surprise Field Office Draft Resource Management Plan and Environmental Impact Statement (RMP). The following comments continue the County's participation in the development of this RMP that officially began with the granting of Cooperating Agency status in 2003. We believe this planning partnership has been a productive one to date.

Modoc County is a "planning county" in that the County adopted the "Comprehensive Land Use and Management Plan for the Federally and State Managed Lands in Modoc County" under 43 U.S.C. Section 1712, 43 C.F.R. Section 1610, 40 U.S.C. Section 1502-1508 and other statutes. Utilizing this plan the County has worked closely for more than a decade with the Bureau of Land Management, at both the field office and state office levels, to jointly plan those proposals that might impact the environment and socio-economics of Modoc County.

GENERAL COMMENTS

The County believes this draft represents a solid start to the finalizing of a foundation document that will direct management in the Surprise Field Office for the next fifteen to twenty years. The Field Office staff should be commended for picking up the pieces after the loss of the private contractor and finishing the draft while still carrying on their normal responsibilities.

In general the County supports the Preferred Alternative. It appears to be a good mix of reasonable resource objectives and socio-economic stability, given the somewhat grim budget prospects in the next few years. The County submits these comments to follow up on those issues raised by the County as a cooperating agency during the RMP development.

SPECIFIC COMMENTS

Format

This document will be the foundation document for the Surprise Field Office for years. In order to be fully utilized and understood by the public, it should be as easy as possible to use.

24-1 The County suggests that each chapter have its own table of contents. Each and every sub-section number should be listed in the table of contents. This will make it very easy for the public to find the specific topic for which they are searching.

24-2 The map section is useful, however we suggest that every map have enough landmarks on it to allow the public to quickly identify the area in question. It would also be very
24-3 helpful if each map contained the page number that contains the text of the same subject. This would greatly enhance the readability of the RMP.

24-4 We also suggest that it be done for the tables. Referencing the page number that contains the subject matter displayed on the table will aid greatly in the document's readability.

Fences

24-5 The Preferred Alternative proposes a number of new designated areas that contain resources that require an increased level of protection from livestock grazing, Off Highway Vehicles and other perceived threats. In many cases this protection will take the form of fenced exclosures. Without endorsing or opposing the validity of the proposed exclosures, the County believes the current practice of forcing the fence maintenance on the neighboring grazing permittee or allowing the exclosure fence to deteriorate without any maintenance at all should not continue. The County urges that concurrently with the construction of any new exclosures, a maintenance strategy using underutilized fire crews, inmates or some other labor pool be established. Grazers should not be burdened with this additional workload.

Fire Management

24-6 The County supports the concept of increased prescribed burning as set forth in the Preferred Alternative. However placing an arbitrary ceiling of 5000 acres because it might bump up against air quality restrictions seems needlessly restrictive. You would not be able to exceed air quality standards even if 5000 acres was not achieved. We suggest you set a goal of averaging 5000 acres a year given the air quality standards.

24-6 There will be years that you may not burn at all because of weather, fuel loads and lack of staff. It seems prudent to be able to make up some of those acres in future years if the acres can be burned within air quality restrictions.

24-7 The County urges the establishment of a regional native seed bank. This will increase the likelihood that enough native seed is available to replant burned areas. We encourage the
24-8 development of pre-fire agreements that allow for the use of certain non-native seed if the native seed supply is insufficient, rather than leave bare ground.

Cultural Resources

24-9 The Cultural Resource Management Plan development should include the grazing permittees.

Fuels Management

24-10 The County supports the general concept of the Preferred Alternative. However the upper limit of 5000 acres seems to be function of air quality (see above). We suggest you separate prescribed fire treatment and mechanical treatment and set separate goals so one won't limit the other.

Lands and Realty

24-11 The County supports the Preferred Alternative and wishes to reiterate our "no net loss" policy and encourage your continued efforts to comply with it.

Livestock Grazing

24-12 The County believes the Historical Setting should be rewritten. It was probably drafted by the long since departed private contractor and contains language that is selective in nature and does not paint a complete picture of livestock grazing for the past 140 years.

24-13 It is interesting to note the similarities between the maps showing those allotments not yet meeting Rangeland Health Standards and those maps showing the presence of wild horses (many above appropriate management levels). Additional management emphasis should be placed on the interaction between livestock and wild horses. Damage to range and riparian resources as well as to range improvements such as fences should be closely analyzed before assessing blame and making grazing decisions.

24-14 The County has some concerns over the language addressing conflicts between domestic sheep and bighorn sheep. The science is not as cut and dried as the Preferred Alternative makes it sound. Sound science should be the decision maker. Conversion of sheep numbers to cattle within allotments that contain both sheep and cattle at present will most likely produce a reduced level of grazing. The paper conversion of sheep to cattle does not account for the complementary nature of jointly grazing cattle and sheep.

24-15 While supporting the Preferred Alternative for grazing, the County suggests a statement be included that acknowledges that suspended use AUMs are present and that when appropriate conditions exist in individual allotments, full consideration will be given to dedicating the resources necessary for completing the analysis to restore these numbers.

24-16 The County wishes to continue to express the strong opposition to Alternative 2 that was expressed in the RMP development. While proposed as a reduced grazing alternative by only allowing full use of the allotment once every three years, it is in actuality a "no graze" proposal. Few grazers would be able to maintain their herd numbers when they would only be able to use their permit every third year. The County understands the reason for its inclusion but finds it is worse than a straight forward "no graze" alternative because it is deceptive. We find it absolutely unacceptable.

Wilderness Study Areas

24-17 The County does not support that portion of the Preferred Alternative that includes the active pursuit of non-public lands adjacent to WSAs and only support pursuit of non-public lands within WSAs on a case-by-case basis. Your limited management resources should be focused on those lands already owned.

Travel Management

24-18 We suggest that roads on private land that have roads on federal land connecting to them be shown on the maps.
24-19 In the Preferred Alternative an intensive Off Highway Vehicle area should be developed without waiting to see if the demand arises. With the loss of off-road use, the public will want an option immediately available. It will also reduce the amount of non-compliance while off-roaders become accustomed to having to stay on designated roads and trail

Vegetation

24-20 The County supports the Preferred Alternative and understands that this alternative is crafted to allow for the implementation of the "Restoration of the Sagebrush Steppe and Associated Ecosystems in Northeast California and Northwest Nevada Through Improved Management of Western Juniper and Other Natural Resources" Environmental Impact Statement currently being developed. The County suggests a statement be included supporting the implementation of that document on the Surprise Field Office.

Socio-Economics

24-21 While the county economic data displayed is accurate, it is 2000-2001 data. The County believes that more current information is easily available and should be used.
24-22 The analysis fails to capture the impacts on possessory interest tax levied on grazing permits. As it is collected on an "as used' basis, Alternative 2 would directly impact the County's revenue.

24-23 The County has real concerns when the economic analysis uses Modoc, Lassen and Washoe Counties and provides those comparisons by alternative in percentages. Lassen County's economy is primarily centered on the prison business and impacts on resource users hardly make a ripple. The entire portion of Washoe County that is part of this analysis could completely disappear and the county economy would not notice. The use of percentages to report changes by alternative tends to minimize the impacts.

24-24 Alternative 2 fails to capture the true loss of grazing. It uses a direct "paper" computation of grazing one out of three years. Reality shows most grazers would cease to use their permit at all because of the lack of forage the remaining two years.

24-25 While the IMPLAN model is widely used to estimate economic impacts, it has flawed assumptions when used for estimating grazing impacts in areas such as Modoc County. It does not take into account the fact that all available private forage is utilized every year, thus for every reduction in federal forage, the local economy suffers that loss. When a cow moves from federal forage to freshly leased private replacement forage, it displaces a cow that was already in the county's economy. IMPLAN does not capture this loss correctly.

IMPLAN measures loss on a direct line. For example a livestock operator that grazes a BLM permit for five months depends on the BLM to provide 42 percent of his annual forage (5 months/12months) needs. This is the loss measured by IMPLAN. In actuality this loss is greater, once the overall ranching operation is adjusted to accommodate this loss. "The Greater Modoc Area-A Strategic Plan for Elk Management"(2000) calculated that actual loss at 58 percent or for every AUM reduced, the individual ranch operation lost 1.38 AUMs in production. IMPLAN does not correctly capture the entire loss.

While the County supports the Preferred Alternative and does not expect Alternative 2 to be selected, a failure to accurately display the true losses in grazing creates a false impression that it is not as economically devastating as it truly would be.

Summary

In conclusion the County supports the Preferred Alternative. Overall we believe the cooperating agency relationship has produced a solid draft RMP. The County looks forward to continuing to work with the Surprise Field Office to fine tune the document to complete a final RMP that, when implemented, produces an enhanced environment and a healthier and more stable economy.

Sincerely,
Modoc County Board of Supervisors

Dan Macsay, Chairman

July 27, 2006

Surprise RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130

Re: Draft Surprise Resource Management Plan and EIS

VIA E-mail and U.S. Postal Service

Dear Sir or Ma'am:

These comments on the Draft Resource Management Plan (RMP) and Environmental Impact Statement (DEIS) for the Surprise Field Office are submitted on behalf of the Western Watersheds Project, Inc. (WWP). WWP is non-profit conservation organization with 1400 members working to protect and restore western watersheds. We request that all alternatives in the EIS include a provision for permanently retiring domestic livestock grazing allotments when conditions permit. In addition, WWP offers the following comments in regards to domestic livestock grazing:

25-1

Comment Period

The comment period for the Surprise RMP DEIS extended from April 28, 2006 through July 27, 2006. However, in June the SFO issued an errata sheet for the draft RMP and DEIS in order to correct errors in the original document. Since that document is somewhat extensive and was issued at such a late date, we ask that the BLM re-issue the DEIS, including the errata sheet, in order that the public may have an adequate opportunity to review the data contained in the errata sheet and the direct, indirect, and cumulative effects associated with the changes contained in the errata.

25-2

Purpose and Need

Maintaining and improving wildlife habitat and restoring degraded range conditions should be reflected in the purpose and need for the RMP in compliance with both the Taylor Grazing Act of 1934, the Federal Lands Policy Management Act (FLPMA) of 1976, and other laws that govern livestock management on public lands. Approval of the RMP will guide livestock management in the project area for years to come and provides the foundation on which future Allotment Management Plans will be based.

The Taylor Grazing Act was passed to "stop injury to public lands by preventing overgrazing and soil deterioration," and the Federal Land Policy and Management Act (FLPMA) requires the BLM to maintain and improve wildlife habitat. It also requires that "Allotment

management plans shall be tailored to the specific range condition of the area to be covered by such plan, and shall be reviewed on a periodic basis to determine whether they have been effective in improving the range condition of the lands involved…"[1]

The requirement to focus on improvement of range condition is also explicit in the Public Rangeland Improvement Act (PRIA), which provides that the goal of public land range management is to improve range condition (emphasis added).[2] "Range condition" as defined in PRIA means the "quality of the land" as reflected by the ability of specific areas to support the productivity sought by BLM.[3]

Thus, the reason for addressing livestock grazing in the RMP is to improve the range condition of the allotments within the project area and to maintain and improve wildlife habitat. This direction, based on laws and regulations, should be explicitly stated in the "Purpose and Need for the Plan" in the FEIS. Furthermore, the selection of any alternative in the DEIS that does not provide direction for meeting those goals violates the intent of the laws and regulations that govern public land management.

25-3
25-4

Allowable Use

More Importantly, 43 CFR Sec. 4100.0-8 states:

> "Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use, and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR 1601.0-5(b)."

In the case of the Surprise RMP and DEIS, the BLM has recognized many times that the quality of the land in the project area is severely diminished. For example, the DEIS notes that 30% of the allotments in the planning area are failing to meet one or more of the standards, and current grazing practices are partly responsible.[4] Thus, when the RMP seeks to improve "range condition," as it must, what this really means is that the RMP must provide for improved riparian, upland, and wildlife habitat conditions and include goals and objectives and allowable use standards to achieve those goals.

The correction of resource degradation caused by domestic livestock and the prevention of future degradation should be driving forces behind the RMP and should be reflected throughout the NEPA document and in any future agency decisions regarding domestic livestock grazing in the project area. Alternative 2 is the best alternative for meeting these requirements, yet even that alternative falls short of restoring degraded conditions and meeting the mandates described above. Moreover, specific livestock grazing levels that will

25-5
25-6

[1] 43 U.S.C. § 1752(d) (emphasis added)
[2] 43 U.S.C. §§ 1901(b)(2), 1903(b)
[3] See id. § 1902(d)
[4] DEIS 2-40

25-6 be used to meet standards are lacking in all alternatives in the DEIS and must be included in the FEIS.

Otherwise, the plan lacks teeth and is unenforceable. Simply stating that specific standards will be developed at the site specific level violates law and allows the BLM to continue the
25-7 degradation caused by domestic livestock. By not stating minimum livestock utilization standards in the RMP, the BLM failed to establish allowable use levels as required by both 43 CFR Sec 4100.0-8 and 43 CFR 1601.0-5(b).

The DEIS states that the goal of the livestock grazing program is as follows: "Sustainable, ecologically sound, and economically viable livestock grazing opportunities would be provided, where suitable, in the SFO planning area[5], yet it fails to define what constitutes a
25-8 sustainable and economically viable level of livestock grazing. The DEIS claims that grazing would be conducted in balance with the natural environment in the following manner[6]:

1. Soils would be stable and not subject to accelerated erosion
2. Nutrient cycling would remain intact
3. Water supply and water quality would be maintained
4. Vegetation communities (e.g. upland, riparian, special status species, special habitats) would be vigorous, diverse, fertile, and suitable for wildlife habitat
5. Important archaeological sites and historic properties would be preserved
6. The visual impact of livestock presence on public lands (e.g., trailing, alteration of vegetation, water developments, and livestock control structures) would be minimized
7. Livestock grazing practices would accommodate other consumptive and non-consumptive uses of public lands

Furthermore, the DEIS states that target utilization of key species (grasses, forbs, and shrubs) would not exceed moderate (40%-60%) levels and that on allotments not meeting or making progress toward meeting Standards for Rangeland Health, due to current levels of livestock forage utilization, Guideline 16 of the Standards and Guidelines for Livestock Grazing would be implemented. Guideline 16 would reduce the maximum allowable utilization on key species specifically in areas that are not meeting standards.[7] This discussion of standards fails to include allowable use standards and guidelines and/or objectives that are paramount
25-7 25-9 to achieving or maintaining the above listed conditions and fails to include which species are key species.

More importantly, the SFO has failed take the required "hard look" at the impacts of
25-10 domestic livestock grazing. The DEIS fails to scientifically and accurately determine those
25-11 lands which are capable and suitable for livestock grazing. The BLM has further failed to accurately and quantitatively determine how much forage (i.e. forage capacity) is currently
25-12 available. On top of this, the RMP DEIS fails to properly allocate that forage to watershed and stream protection, wildlife habitat and food, then to livestock if available.

[5] DEIS p. 2-40
[6] DEIS p. 2-40
[7] DEIS p. 2-41 through 2-42

25-13 Furthermore, the RMP fails to provide for long-term rest to facilitate recovery, and any
25-14 discussion of impacts should have addressed the unwillingness of permittees to use peer-reviewed range science principles for management and their strong opposition to the most minimal standards of performance. Instead they rely on unfounded solutions such as time-controlled grazing and "holistic" management such as advocated by Alan Savory.

For example, the effects of different livestock grazing intensities on forage plant production were studied in a ponderosa pine type in Colorado as early as the 1940's.[8] This study showed that forage consumption at a rate of 57% produced an average of twice as much forage as a rate of 71%. An area left ungrazed by livestock for 7 years produced three times as much forage as the 71% use area. The authors concluded that, as grazing use increased, forage production decreased.

25-15 During that same period, Dyksterhuis,[9] in a classic paper on the use of quantitative ecology in range management, presented examples of how stocking rates must be adjusted based on precipitation and range condition, which included a rating based on departure from the potential plant community. NRCS[10] considers proper grazing management as that management that sustains the potential plant community.

The effects of conservative (30 – 35%) use vs. heavy (60 – 65%) grazing use on grasses and forbs by cattle were determined in a New Mexico study.[11] Both of these pastures had experienced conservative use for over 10 years. In 1997, one pasture was changed to heavy use. This study showed that heavy stocking rates resulted in serious declines in productivity in the succeeding year. Perennial grass production was reduced by 57% and forbs by 41% in the heavily grazed pasture compared to the conservatively grazed pasture. The authors cited a number of other studies in arid environments that showed heavy stocking rates were accompanied by decreases in forage production when compared to conservative use. After drought, the ability of forage plants to recover was directly related to the standing crop levels maintained during the dry period. The studies cited showed that grazing during different seasons was less important than grazing intensity.

Five long-term stocking rate studies from three different locations in Arizona, New Mexico and Utah documented similar patterns.[12] In the Desert Experimental Range in Utah, a 13-year study with moderate (35%) and heavy (60%) use by sheep resulted in annual forage production of 198 lbs/acre and 72 lbs/acre. The authors recommended 25 – 30% use of all forage species. A 10-year study at the Santa Rita Range in Arizona demonstrated that

[8] Schwan, H.E., Donald J. Hodges and Clayton N. Weaver. 1949. Influence of grazing and mulch on forage growth. Journal of Range Management 2(3):142-148.
[9] Dyksterhuis, E. J. 1949. Condition and management of range land based on quantitative ecology. Journal of Range Management 2:104-115.
[10] USDA. 1982. Soil Survey of Rich County Utah. USDA Soil Conservation Service, Forest Service and Bureau of Land Management.
[11] Galt, Dee, Greg Mendez, Jerry Holechek and Jamus Joseph. 1999. Heavy winter grazing reduces forage production: an observation. Rangelands 21(4):18-21
[12] Holechek, Jerry L., Hilton Gomez, Francisco Molinar and Dee Galt. 1999a. Grazing studies: what we've learned. Rangelands 21(2):12-16

perennial grass cover and yield showed an inverse relationship to grazing intensity, while burroweed, an undesirable species, increased with increasing forage use. The authors recommended a 40% use level. A 37-year study at the Jornada Experimental range in New Mexico involving conservative (33%) and moderate (45%) use showed that the lower grazing intensity resulted in greater black grama (perennial grass) cover. Lowland areas with high clay content and periodic flooding grazed at moderate intensity had higher cover of Tobosa, a perennial grass, than heavily grazed areas. They recommended 30% be used as a stocking intensity with no more than 40% removed in any year. A 10-year study at the Chihuihuan Desert Rangeland Research Center looked at four grazing intensities of 25%, 35%, 50% and 60%. Light (25%) and moderate (35%) use produced 70% more forage than 50% use and more than double that achieved at 60% use. Here, the author recommended conservative stocking at 30 – 35%.

Hutchings and Stewart,[13] suggested that 25 – 30 % use of all forage species by livestock was proper. They recommended this level because routinely stocking at capacity will result in overgrazing in half the years and necessitate heavy use of supplemental feed. Even with this system, they recognized that complete destocking would be needed in 2 or 3 out of ten years. Holechek et al[14] concluded that the research is remarkably consistent in showing that conservative grazing at 30 – 35% use of forage will give higher livestock productivity and financial returns than stocking at grazing capacity. They also recognized that consumption by
25-15 rodents and other wildlife must be taken into account as part of this utilization, otherwise, rangeland productivity would suffer even at these levels of use. Galt et al[15] recommended levels of 25% utilization for livestock and 25% for wildlife with 50% remaining for watershed protection. In none of these cases have the scientists recommended 50% utilization by livestock, as the BLM continually authorizes (i.e. take half, leave half) and they are clear that even at the lower use levels recommended, allowance for wildlife use must be included in overall use.

Clearly, the long-term range studies cited here show that under actual field conditions, light grazing (25% or less by livestock) is most appropriate to meet BLM's mandate for sustainable use. These utilization rates are the minimum needed to ensure proper functioning condition, which is the minimum acceptable condition. The BLM would do well to require at least minimum compliance with these standards in the RMP until these standards can be evaluated at the site-specific level.

Impacts

25-16 Weighing the impacts of resource management practices is consistent with the BLM's mission of providing lands for multiple uses as recognized in the Multiple Use Sustained Yield Act. The "multiple use" concept as defined in law and regulations requires "a reasoned

[13] Hutchings, S.S. and G. Stewart. 1953. Increasing forage yields and sheep production on Intermountain winter ranges. U.S. Department of Agriculture Circular 925. 63p.
[14] Holechek, Jerry L., Hilton Gomez, Francisco Molinar and Dee Galt. 1999a. Grazing studies: what we've learned. Rangelands 21(2):12-16
[15] Galt, Dee, Francisco Molinar, Joe Navarro, Jamus Joseph and Jerry Holechek. 2000. Grazing capacity and stocking rate. Rangelands 22(6):7-11.

and informed decision that the benefits of grazing ... outweigh the costs" and a weighing of "the relative values of the resources."[16] Therefore, the BLM must show that the benefits of domestic livestock grazing out-weigh the costs.

25-16 Despite the requirements of NEPA and other laws governing the administration of public lands, the DEIS for the Surprise Resource Management Plan fails to disclose any of the direct, indirect, or cumulative impacts associated with domestic livestock grazing from the proposed management direction in any of the analyzed alternatives.

In spite of the evidence of widespread loss of plant productivity and ground cover, accelerated erosion and BLM's own documentation of rapid declines in species such as sage grouse, BLM routinely chooses not to address livestock impacts in any scientific or sustainable fashion. Instead, BLM proposes more water developments and grazing systems. This ignores that in the 1960's, BLM began a massive program of developing water, putting streams and springs into pipelines, seeding with crested wheatgrass, building fences, engaging in rotation grazing, and spending millions of dollars to "even out livestock distribution".

25-16 In fact, the discussion of impacts of livestock grazing on resources in the planning area that may result under the direction of the proposed and Preferred Alternative is limited to less than half a page in the DEIS.[17] Instead, the discussion of impacts is limited to a discussion of mitigation measures aimed at reducing the impacts of grazing—impacts that are never discloses. A discussion of mitigation measures does not fulfill the requirements of NEPA to disclose all direct, indirect, and cumulative impacts. Such a meager discussion of impacts in the DEIS falls far short of NEPA's requirements to take a hard look at the impacts of proposed actions and does not represent the weighing of costs and benefits that MUSYA requires.

25-17 Furthermore, NEPA requires that the public receive the underlying data that is the basis for professional opinions. The only statement regarding the impacts to resources from domestic livestock states:

> "The Preferred Alternative is expected to have neither adverse nor beneficial impacts on livestock grazing…The Preferred Alternative would balance adverse and benefical impacts by increasing the amount, access to, quality, and dependability of livestock forage while implementing mitigation measures to reduce the impacts of livestock grazing on other resources. Crested wheatgrass seedings would be maintained, degraded lands with the most potential to produce livestock forage would be a high priority for restoration, and emphasis would be placed on increasing livestock distribution. These actions would increase the amount of forage that could be harvested by livestock annually."[18]

[16] National Wildlife Federation v. BLM, No. UT-06-91-01 US Dep't of Interior, Office of Hearings & Appeals, Hearings Div. (Rampton, J. 1993), p. 23, the "Comb Wash Allotment" decision.
[17] DEIS p. 4-77
[18] DEIS 4-77 - 4-78

We are unaware of ANY scientific literature that indicates an increase in domestic livestock utilization would be beneficial or even neutral to important ecosystem functions. The BLM must support these assertions or remove them from the EIS.

25-17

Moreover, the DEIS fails to disclose how habitat conditions, and thus wildlife populations, have changed due to conversion of native vegetation to crested wheatgrass. How has such conversion influenced habitat? What are the impacts? The DEIS fails to disclose this information. The negative impacts associated with domestic livestock grazing are completely missing from the DEIS.

25-18

In addition, only 11 percent of stream habitats in the planning area were in Properly Functioning Condition.[19] Eighty-nine percent of these areas are either functional at risk or non-functioning. Only 13 percent of riparian habitats are in PFC, mostly due to reduced canopies and lack of regeneration, herbaceous plant communities dominated by shallow-rooted species such as Kentucky bluegrass, and over-widened stream channels. These are characteristic impacts of domestic livestock grazing, and the BLM should be honest and tell the public what is causing them. The DEIS fails to disclose what management activities are responsible for such a widespread failure to meet the standards of rangeland health and other legal requirements.

25-19

Belsky, et al.[20] found that livestock grazing negatively effects water quality and seasonal quantity, stream channel morphology hydrology, riparian zone soils, instream and streambank vegetation, and aquatic and riparian wildlife. Livestock were also found to cause negative impacts at the landscape and regional scale.[21] While evidence is abundant describing the negative impacts of grazing before the Taylor Grazing Act in 1934, **recent studies document that livestock grazing remains a key factor in the continued degradation of riparian habitats**.[22]

In addition, Platts[23] concluded that livestock grazing was the major cause of degraded stream and riparian environments and reduced fish populations in the arid west. A recent report by the USDA Forest Service found grazing to be the fourth major cause of animal species

[19] DEIS p. 3-77

[20] Belsky, A.J. et.al. 1999 Survey of livestock influence on stream and riparian ecosystems in the western United States. Journal of Soil and Water Conservation. Vol 54 Issue 1, p. 419.

[21] Ibid

[22] U.S. General Accounting Office. 1988. Public Rangelands: some riparian areas restored, but widespread improvement will be slow. 85p.
Szaro, R.C. 1989. Riparian forest and scrubland community types of Arizona and New Mexico. Desert Plants 9 (3-4): 69-138.
Platts, William S. 1981. Influence of Forest and Rangeland Management on Anadromous Fish Habitat in Western North America – Effects of Livestock Grazing. General Technical Report PNW 124, USDA Pacific Northwest Forest and Range Experiment Station, Boise, ID.
Elmore, W., and B. Kauffman. 1994. A Riparian and Watershed Systems: Degradation and Restoration In M. Vavra, W.A. Laycock, and R.D. Pieper (eds), *Ecological Implications of Livestock Herbivory* 1994 West. Soc. Range Management: Denver, CO.

[23] Platts, William S. 1981. Influence of Forest and Rangeland Management on Anadromous Fish Habitat in Western North America – Effects of Livestock Grazing. General Technical Report PNW 124, USDA Pacific Northwest Forest and Range Experiment Station, Boise, ID.

endangerment in the United States and the second major cause of endangerment of plant species.[24] Moreover, **livestock grazing is still considered to be the most pervasive source of upland and riparian habitat degradation in the arid West**.[25]

Blackburn[26] and Trimble and Mendel[27] summarized the negative impacts of grazing on watersheds. They listed the erosive force of raindrops on denuded surfaces, the shearing force of hooves on slopes, decreased soil organic matter, and increased soil compaction as primary impacts. Together, these impacts result in reduced infiltration rates and increased runoff, soil bulk density, erosion, and sediment delivery to streams. Indirectly, this affects everything from plants to fish and the impacts occur across entire landscapes. The Natural Resource Defense Council found that overgrazing is the number one threat to Western trout streams.

25-19 Based on 43 CFR 4180, appropriate actions to address the negative impacts of domestic livestock are to be implemented that will result in significant progress toward attainment of the standards no later than the start of the next grazing season. Clearly this has not been accomplished. Given the fact that the number of cows that could be grazed on BLM land in the planning area represents a slight and declining economic influence, this degradation is unacceptable.

Furthermore, grazing affects species composition of plant communities in essentially two ways: 1) active selection by herbivores for or against a specific plant taxon, and 2) differential vulnerability of plant taxa to grazing.[28] Decreases in density of native plant species and diversity of native plant communities as a result of livestock grazing activity have been observed in a wide variety of western ecosystems. Grazing also can exert great impact on animal populations, usually due to indirect effects on habitat structure and prey availability.[29] Deleterious effects of grazing have been observed in all vertebrate classes. Response of native wildlife to grazing varies by habitat.

25-20

[24] Flather, C.H., et.al. 1994 Species endangerment patterns in the United States. USDA Forest Serv. Gen. Tech. Rep. RM-241.

[25] U.S. General Accounting Office. 1988. Public Rangelands: some riparian areas restored, but widespread improvement will be slow. 85p.
Belsky, A.J. et.al. 1999 Survey of livestock influence on stream and riparian ecosystems in the western United States. Journal of Soil and Water Conservation. Vol 54 Issue 1, p. 419
Elmore, W., and B. Kauffman. 1994. A Riparian and Watershed Systems: Degradation and Restoration In M. Vavra, W.A. Laycock, and R.D. Pieper (eds), *Ecological Implications of Livestock Herbivory* 1994 West. Soc. Range Management: Denver, CO.
Among others

[26] Blackburn, W.H. 1984. Impact of grazing intensity and specialized grazing systems on watershed characteristics and responses. In: Developing strategies for range management. Westview press: Boulder, CO.

[27] Trimble, S.W., and A.C. Mendel. 1995. The Cow as a Geomorphic Agent, A Critical Review. Geomorphology 13: 1995

[28] Szaro, R.C. 1989. Riparian forest and scrubland community types of Arizona and New Mexico. Desert Plants 9 (3-4): 69-138.

[29] Jones, K.B. 1981. Effects of grazing on lizard abundance and diversity in western Arizona. Southwestern Naturalist 26: 107-115.
Mosconi, S.L., and R.L. Hutto. 1982. The effect of grazing on the land birds of a western Montana riparian habitat. In L. Nelson, J.M. Peek, and P.D. Dalke, editors. Proceedings of the wildlife-livestock relationships symposium. Forest, Wildlife, and Range Experiment Station, University of Idaho, Moscow,

For example, Bighorn sheep are highly susceptible to diseases; Pasteurella pneumonia and lung worm in particular, which are spread by domestic sheep. In a paper titled Literature Review Regarding the Compatibility Between Bighorn and Domestic Sheep, presented at the 1996 Biennial Symposium of the Wild Sheep and Goat council, in Silverthorne, Colorado, Kevin Martin, et al, state, "No studies reported any bighorn herds. . . that have come into contact with domestic sheep and remained healthy." Further, this paper quotes Goodsen, 1982, that "Current bighorn sheep numbers in the western United States have been estimated to be less than 1% of what they were prior to presettlement" times. Yet, the RMP proposed to continue domestic sheep grazing in known bighorn sheep ranges without disclosing the expected impacts.

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Furthermore, Bock et al.[30] reviewed the effect of grazing on Neotropical migratory landbirds in three ecosystem types, and found an increasingly negative effect on abundances of bird species in grassland, riparian woodland, and Intermountain shrubsteppe (almost equal numbers of species with positive and negative responses to grazing in grassland; six times as many with negative as positive responses in shrubsteppe), but impacts to these species are lacking in the DEIS.

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The DEIS admits that bighorn sheep, sage grouse, and other species populations in the planning area are in steep decline, but fails to state a reason for that decline. The RMP fails to take any action that would eliminate domestic sheep in areas that are used by bighorn sheep, and fails to disclose the possible impacts of livestock grazing on sage grouse. This results in a failure to meet the standard for maintaining viable and diverse populations of wildlife and violates NEPA's requirement to disclose all past, present, and reasonably foreseeable future impacts.

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In Addition, the DEIS notes that existing range "improvements" in the planning area include 1,336 miles of fencing, 567 water developments comprised of 393 reservoirs, 94 developed springs (two with pipeplines), and 80 wells (there is no disclosure as to the amount of improvements in the form of vegetation treatments and conversions to non-native species).[31] The DEIS also claims that more "improvements" such as water troughs, fences, and vegetation treatments are needed to alleviate the impacts to riparian areas. However, the

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Idaho.
Quinn, M.A., and D.D. Walgenbach. 1990. Influence of grazing history on the community structure of grasshoppers of a mixed-grass prairie. Environmental Entomology 19: 1756-1766.
Szaro, R.C., S.C. Belfit, J.K. Aitkin, and J.N. Rinne. 1985. Impact of grazing on a riparian garter snake. Pages 359-363 in R.R. Johnson, C.D. Ziebell, D.R. Patton, P.F. Ffolliott, and F.H. Hamre, technical coordinators. Riparian ecosystems and their management: reconciling conflicting uses. General Technical Report RM-120. Forest Service, Rocky Mountain Forest and Range Experiment Station, Fort Collins, CO.
Wagner, F.H. 1978. Livestock grazing and the livestock industry. Pages 121-145 in H.P. Brokaw, editor Wildlife and America. Council on Environmental Quality, Washington, D.C.

[30] Bock, C.E., V.A. Saab, T.D. Rich, and D.S. Dobkin. 1993*b*. Effects of livestock grazing on Neotropical migratory landbirds in western North America. Pages 296-309 in D.M. Finch, and P.W. Stangel, editors. Status and management of Neotropical migratory birds. General Technical Report RM-229. Forest Service, Rocky Mountain Forest and Range Experiment Station, Fort Collins, Colorado.

[31] DEIS p. 2-39

25-27

DEIS completely fails to disclose any impacts that have resulted from already existing improvements and impacts that will result from constructing even more.

Holechek et al[32] have shown that areas up to a mile from water developments can have severe impacts from trampling, compaction and removal of vegetation with impacts occurring for several miles. Using the area within one mile of a water development results in an area of approximately 2,000 acres potentially suffering severe impacts. Placing these developments in areas with steep hillsides or narrow canyons, which is often done to entice cattle to use areas that receive little or no use, can result in severe erosion due to cattle being forced to graze on these steep slopes.

Moreover, stating that stricter standards will improve range in declining condition is not only a failure to disclose impacts, but it ignores the real problem. In numerous studies of riparian grazing impacts, investigators concluded that total removal of livestock was necessary to restore ecosystem health. Restoration of degraded riparian areas is often an ignored goal in land use plans and should have been considered in the RMP.

25-28

For example, along Mahogany Creek, Nevada, reduction in grazing had little benefit; only a complete removal brought about habitat improvement.[33] Ames[34] found that "even short-term or seasonal use is too much," and compared mere reductions in livestock numbers to letting "the milk cow get in the garden for one night." In a recent comparison of eleven grazing systems, total exclusion of livestock offered the strongest ecosystem protection.[35] As Davis[36] put it: "If the overgrazing by livestock is one of the main factors contributing to the destruction of the habitat, then the solution would be to ... remove the cause of the problem." The GAO study cited above also showed that restoring riparian areas was best accomplished by removal of livestock.

Many allotments are appropriately stocked, but temporary reductions in stocking rates may be necessary to allow recovery of localized problem areas. This is especially true in rest-rotation strategies, where part of an allotment is removed from grazing for the entire season.

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[32] Holechek, Jerry L., Rex D. Piper and Carlton H. Herbel. 1998. Range Management Principles and Practices. 542 pp. Prentice-Hall, New Jersey.

[33] Chaney, E., W. Elmore, and W.S. Platts. 1990. Livestock grazing on western riparian areas. U.S. Environmental Protection Agency, Region 8. Denver, Colorado.
Dahlem, E.A. 1979. The Mahogany Creek watershed--with and without grazing. Pages 31-34 in O.B. Cope, editor. Proceedings of the Forum--grazing and riparian/stream ecosystems. Trout Unlimited, Denver, Colorado.

[34] Ames, C.R. 1977. Wildlife conflicts in riparian management: grazing. Pages 49-51 in R.R. Johnson and D.A. Jones, technical coordinators. Importance, preservation, and management of riparian habitat: a symposium. General Technical Report RM-43. Forest Service, Rocky Mountain Forest and Range Experiment Station, Fort Collins, Colorado.

[35] Kovalchik, B.L., and W. Elmore. 1992. Effects of cattle grazing systems on willow-dominated plant associations in central Oregon. Pages 111-119 in W.P Clary, E.D. McArthur, D. Bedunah, and C.L. Wambolt, compilers. Proceedings--Symposium on ecology and management of riparian shrub communities. General Technical Report INT-289. Forest Service, Intermountain Research Station, Ogden, Utah.

[36] Davis, J.W. 1982. Livestock vs. riparian habitat management--there are solutions. Pages 175-184 in L. Nelson, J.M. Peek, and P.D. Dalke, editors. Proceedings of the wildlife-livestock relationships symposium. Forest, Wildlife, and Range Experiment Station, University of Idaho, Moscow, Idaho.

The rest may not compensate for the increased use during grazing until sufficient recovery is achieved.[37]

25-28

To highlight how grazing can impact arid rangelands, multi-scale analyses of natural vegetation patterns and processes in the northern Chihuahuan Desert show that natural vegetation is capable of recovering from short-term, high intensity disturbances such as an **atomic bomb** blast. In contrast, mesquite dunelands persist on other sites grazed before the blast, showing the arid land is less resilient to long-term low intensity disturbances.[38]

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Finally, any analysis of grazing is incomplete without a discussion of the effect the practice has had on predators. The most vehement opposition to wolves, bears, and other predators comes from the livestock industry, and is one of the main reasons some of the species are now listed. Predators perform important top-down ecological functions, yet they are consistently eradicated and heavily managed in order to protect livestock on public land, costing taxpayers millions of dollars. The DEIS fails to include an analysis of the impacts from livestock grazing on predators in the planning area, and such a discussion must be included in the FEIS.

Sagebrush

Despite their extent, sagebrush-dominated communities are among North America's most critically endangered ecosystems as a consequence of losses to agriculture, conversions to exotic annuals, and/or degradation due to excessive grazing by domestic livestock.[39]

Big sagebrush (Artr) is eaten by domestic sheep and cattle, but has long been considered to be of low palatability to domestic livestock, a competitor with more desirable species, and a physical impediment to grazing.[40] The range management community has been conducting a war against big sagebrush (*Artemisia tridentata*) for over 50 years.[41]

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[37] Leonard, Steve et. al. 1997. Riparian Area Management: Grazing Management for Riparian-Wetland Areas. USDI Bureau of Land Management and USDA Forest Service TR 1737-14.

[38] Yool, Steven R. 1999. Multi-scale analysis of disturbance regimes in the northern Chihuahuan Desert. Journal-of-Arid-Environments. Dec., 1999; 40 (4) 467-483

[39] Noss, Reed, et.al. 1995. Endangered Ecosystems of the United States: A Preliminary Assessment of Loss and Degradation. Biological Report 28. National Biological Service, Washington, DC, USA.
Christensen, N.L. et. al. 1996. The Report of the Ecological Society of America Committee on the Scientific Basis for Ecosystem Management. Ecological Applications 6:665-691
Knick, S.T. 1999. Requiem for a Sagebrush Ecosystem? Northwest Science 73:53-57
Anderson, Jay E. and Richard S. Inouye. 2001. Sagebrush Steppe Vegetation Dynamics. Ecological Monographs. Vol. 71, No.4

[40] Blaisdell, James P.; Murray, Robert B.; McArthur, E. Durant. 1982. Managing Intermountain rangelands--sagebrush-grass ranges. Gen. Tech. Rep. INT-134. Ogden, UT: U.S. Department of Agriculture, Forest Service, Intermountain Forest and Range Experiment Station.
Shaw, Nancy L.; Monsen, Stephen B. 1990. Use of sagebrush for improvement of wildlife habitat. In: Fisser, Herbert G., ed. Wyoming shrublands: Aspen, sagebrush and wildlife management: Proceedings, 17th Wyoming shrub ecology workshop; 1988 June 21-22; Jackson, WY. Laramie, WY: Wyoming Shrub Ecology Workshop, University of Wyoming, Department of Range Management.

[41] Welch, Bruce L. and Craig Criddle. 2003. Countering Misinformation Concerning Big Sagebrush. USDA Forest Service Rocky Mountain Research Station RBRS-RP-40.

Literature highlights the importance of sagebrush to a variety of wildlife ranging from sage grouse and the almost forgotten pigmy rabbit to big game.[42] Wildlife researchers have argued that the importance of sagebrush as forage, and effects of foraging on sagebrush are not fully appreciated.[43] Regarding the sagebrush steppe ecosystem, West[44] makes the following remark: "Some of it has been so degraded by excessive livestock grazing and burning that its relationship to its origins is no longer easily recognizable."

Furthermore, the ecology of mountain big sagebrush in the West has been altered not only by a decrease in fire as claimed by the BLM, but also by livestock grazing, widespread invasion by exotic annuals, and perhaps climate change.[45] Historical abundance of big sagebrush has

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[42] Blaisdell, James P.; Murray, Robert B.; McArthur, E. Durant. 1982. Managing Intermountain rangelands--sagebrush-grass ranges. Gen. Tech. Rep. INT-134. Ogden, UT: U.S. Department of Agriculture, Forest Service, Intermountain Forest and Range Experiment Station.
Hodgkinson, Harmon S. 1989. Big sagebrush subspecies and management implications. Rangelands. 11(1): 20-22.
McGee, John M. 1979. Small mammal population changes following prescribed burning of mountain big sagebrush. In: Johnson, Kendall L., ed. Wyoming shrublands: Proceedings of the 8th Wyoming shrub ecology workshop; 1979 May 30-31; Jackson, WY. Laramie, WY: University of Wyoming, Division of Range Management, Wyoming Shrub Ecology Workshop: 35-46.
Nagy, Julius G. 1979. Wildlife nutrition and the sagebrush ecosystem. In: The sagebrush ecosystem: a symposium: Proceedings; 1978 April; Logan, UT. Logan, UT: Utah State University, College of Natural Resources: 164-168.
Noste, Nonan V.; Bushey, Charles L. 1987. Fire response of shrubs of dry forest habitat types in Montana and Idaho. Gen. Tech. Rep. INT-239. Ogden, UT: U.S. Department of Agriculture, Forest Service, Intermountain Research Station. 22 p.
Peek, James M.; Riggs, Robert A.; Lauer, Jerry L. 1979. Evaluation of fall burning on bighorn sheep winter range. Journal of Range Management. 32(6): 430-432.
Shaw, Nancy L.; Monsen, Stephen B. 1990. Use of sagebrush for improvement of wildlife habitat. In: Fisser, Herbert G., ed. Wyoming shrublands: Aspen, sagebrush and wildlife management: Proceedings, 17th Wyoming shrub ecology workshop; 1988 June 21-22; Jackson, WY. Laramie, WY: Wyoming Shrub Ecology Workshop, University of Wyoming, Department of Range Management: 19-35.
Wambolt, C. L.; Creamer, W. H.; Rossi, R. J. 1994. Predicting big sagebrush winter forage by subspecies and browse form class. Journal of Range Management. 47(3): 231-234.
Welch, Bruce L.; Briggs, Steven F.; Johansen, James H. 1996. Big sagebrush seed storage. Res. Note INT-RN-430. Ogden, UT: U.S. Department of Agriculture, Forest Service, Intermountain Research Station.
[43] Wambolt, Carl L. 1995. Elk and mule deer use of sagebrush for winter forage. Montana Ag Research. 12(2): 35-40.
Wambolt, Carl L. 1996. Mule deer and elk foraging preference for 4 sagebrush taxa. Journal of Range Management. 49(6): 499-503.
Welch, Bruce L.; Wagstaff, Fred J.; Roberson, Jay A. 1991. Preference of wintering sage grouse for big sagebrush. Journal of Range Management. 44(5): 462-465.
[44] West, Neil E. 1988. Intermountain deserts, shrub steppes, and woodlands. In: Barbour, Michael G.; Billings, William Dwight, eds. North American terrestrial vegetation. Cambridge; New York: Cambridge University Press: 209-230.
[45] Blaisdell, James P.; Murray, Robert B.; McArthur, E. Durant. 1982. Managing Intermountain rangelands--sagebrush-grass ranges. Gen. Tech. Rep. INT-134. Ogden, UT: U.S. Department of Agriculture, Forest Service, Intermountain Forest and Range Experiment Station.
Burkhardt, Wayne J.; Tisdale, E. W. 1976. Causes of juniper invasion in southwestern Idaho. Ecology. 57: 472-484.
Mueggler, W. F. 1985. Vegetation associations. In: DeByle, Norbert V.; Winokur, Robert P., eds. Aspen: ecology and management in the western United States. Gen. Tech. Rep. RM-119. Fort Collins, CO: U.S. Department of Agriculture, Forest Service, Rocky Mountain Forest and Range Experiment Station: 45-55.

25-30

been disputed. There are numerous studies that show sagebrush obligates prefer living in big sagebrush canopy cover above the levels identified in the RMP DEIS.

Rasmussen and Griner[46] noted that the highest sage grouse nesting success in Strawberry Valley of central Utah occurred in mountain big sagebrush stands having 50 percent canopy cover. Ellis et. al.[47] reported male sage grouse loafing areas with 31 percent canopy cover. Additionally, Katzner and Parker[48] reported that areas of high pygmy rabbit activity occurred in basin big sagebrush stands having 51.1 percent canopy cover, and areas of medium activity occurred in Wyoming sagebrush stands of 42.7 percent. Other obligates such as sage thrasher, Brewer's sparrow, and sage sparrow prefer big sagebrush canopy cover of 20 to 36 percent.[49]

For sagebrush species other than big sagebrush, Walchek[50] reported that a population of Brewer's Sparrows were living in an area of silver sagebrush having canopy cover of 53 percent. Petersen and Best[51] found sag sparrows nested where big sagebrush cover was 23 percent in the vicinity of nests and 26 percent in the general study area. They further noted that all nests were found in big sagebrush plants and large, living shrubs were strongly preferred.

West, Neil E. 1988. Intermountain deserts, shrub steppes, and woodlands. In: Barbour, Michael G.; Billings, William Dwight, eds. North American terrestrial vegetation. Cambridge; New York: Cambridge University Press: 209-230.

[46] Rasmussen, D. I. and Lynn A. Griner. 1938. Life history and management studies of the sage grouse in Utah, with special reference to nesting and feeding habits. North America Wildlife Conference. 3:852-864

[47] Ellis, Kevin L. et.al. 1989. Habitat use by breeding male sage grouse: A management approach. Great Basin Naturalist. 49:404-407

[48] Katzner, Todd E. and Katherine L. Parker. 1997. Vegetative characteristics and size of home ranges used by pygmy rabbits (*Brachylagus idahoensis*) during winter. Journal of Mammology 78:1063-1072.

[49] Best, Louis B. 1972. First-year effects of sagebrush control on two sparrows. Journal of Wildlife Management. 36:534-544.

Feist, Francis G. 1968. Breeding-bird populations on sagebrush-grassland habitat in central Montana. Audubon Field Notes. 22:691-695.

Grinnell, Joseph, et. al. Vertebrate natural history of a section of California through the Lassen Peak region. University of California Publications in Zoology. 35:1-594

Knick, Steven T. and John T. Rotenberry. 1995. Landscape characteristics of fragmented shrubsteppe habitats and breeding passerine birds. Conservation Biology. 9:1059-1071.

Petersen, Kenneth L. and Louis B. Best. 1986. Diets of nesting sage sparrows and Brewer's sparrow in an Idaho sagebrush community. Journal of Field Ornithology. 57:283-294.

Petersen, Kenneth L. and Louis B. Best. 1991 Nest site selection by sage thrashers in southeastern Idaho. Great Basin Naturalist. 51:261-266.

Reynolds, Timothy D. and Charles H. Trost. 1980 The response of native vertebrate populations to crested wheatgrass planting and grazing by sheep. Journal of Range Management. 33:122-125

Reynolds, Timothy D. and Charles H. Trost. 1981. Grazing, crested wheatgrass, and bird populations in southeastern Idaho. Northwest Science. 55:225-234.

Winter, B. M. and Louis B. Best. 1985. Effect of prescribed burning on placement of sage sparrow nests. Condor. 87:294-295.

[50] Walchek, Kenneth C. 1970. Nesting bird ecology of four plant communities in the Missouri River breaks, Montana. Wilson Bulletin. 82:370-382.

[51] Petersen, Kenneth L. and Louis B. Best. 1985. Nest-site selection by sage sparrows. Condor. 57:217-221.

Big sagebrush habitat types are the dominant vegetation communities on the majority of public lands in the planning area.[52] Sagebrush habitats throughout the Surprise Field Office (SFO) have been manipulated to increase forage for domestic livestock, and production and vigor of these habitats field-office wide is well below site potential.[53]Due to the regional losses of sagebrush communities, and the wildlife that depend on them, maintenance and improvement of existing sagebrush habitat is important.

The DEIS claims that the main management threat to sagebrush communities is typically heavy grazing.[54] Since sagebrush communities on private lands have been converted to agricultural or other uses or are not being managed in a manner compatible with sagebrush dependent wildlife, the importance of the SFO maintaining the integrity of sagebrush habitats on BLM lands within the planning area to provide taller, denser stands for mule deer, pronghorn, and sage grouse is extremely important.

In addition, the DEIS notes that livestock grazing is a major influence on sagebrush and riparian habitat in the SFO. Livestock grazing impacts to wildlife will be minimized by adhering the Standards for Rangeland Health and Guidelines for grazing management, and vegetation treatments in upland habitats adjoining streams may divert livestock grazing pressure sufficiently to assist in meeting riparian improvement objectives.[55] However, the DEIS does not include a discussion of the expected impacts to sagebrush communities or the species that rely on them from these management activities nor are we told on what scale they will occur.

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The DEIS only states:

> "Under all planning alternatives, BLM would continue to authorize livestock grazing on 49 allotments and nearly the entire planning area. The cumulative effects of livestock grazing are widespread. Actions would be taken to mitigate the impacts on vegetation. Livestock grazing management systems would be designed to meet the approves Northeastern California and Northwestern Nevada Standards and Guidelines for Livestock Grazing (BLM 1998a, 1999b) for upland soil, stream health, water quality, biodiversity, and riparian/wetlands."[56]

This is the only discussion of impacts.
To what type of vegetation does this statement refer? Exactly how will sagebrush communities be manipulated? What are the expected impacts from treatment of these communities? These are serious questions that must be answered in the FEIS.

25-32

Given the fact that most sagebrush dependent species require high canopy cover of sagebrush, it is disturbing that the BLM has failed to disclose the manipulation activities and the impacts that will occur to sagebrush communities. In fact, the DEIS fails to disclose any of the threats that domestic livestock pose to these threatened communities.

[52] DEIS p. 3-70 Table 3.15-1
[53] DEIS p. 3-73 – 3-75
[54] Ibid.
[55] DEIS p. 4-166
[56] DEIS p. 4-146

25-32

For example, big sagebrush canopy cover values on undisturbed relicts and kipukas does not support the assertions by the BLM that big sagebrush canopy cover increases due to livestock grazing.[57] In fact, the just cited researchers found the following:

- Big sagebrush canopy cover was higher inside grazing exclosures and was decreased outside exclosures,
- Perennial grasses and sagebrush canopy cover were significantly higher in ungrazed vs. grazed plots,
- After grazing had been removed big sagebrush canopy cover and grass cover increased significantly.

Anderson and Inouye[58] found that contemporary state-and-transition models do not fit the sagebrush ecosystem because viable remnant populations of native grasses and forbs are able to take advantage of improved growing conditions when livestock are removed. They found further that despite depauperate and homogenous conditions of permanent plots in 1950, after 45 years vegetation had been anything but static, clearly refuting claims of long-term stability under shrub dominance. Mean richness per plot of ALL growth forms increased steadily in the absence of domestic livestock grazing. Grasses and forbs increased significantly.

Given these findings, perhaps the BLM should analyze the impacts of long-term active management and its impacts on sagebrush communities and obligates compared to the impacts of removing livestock and allowing these communities to recover naturally. Additionally, since the continued "management" of sagebrush has led to many of the situations scientists now agree are threatening these ecosystems, the removal of livestock from sagebrush communities in less than satisfactory condition should be a seriously considered alternative in the RMP.

25-33

Sage Grouse

[57] Holechek, Jerry L., and Thor Stephenson. 1983. Comparison of big sagebrush vegetation in northcentral New Mexico under moderately grazed and grazing excluded conditions. Journal of Range Management. 36:455-456
Eckert, Richard E. Jr., and John S. Spencer. 1986. Vegetation response on allotments grazed under rest-rotation management. Journal of Range Management. 39:166-174
Pearson, L.C. 1965. Primaray production in grazed and ungrazed desert communities of eastern Idaho. Ecology. 46:278-285.
Anderson, Jay E. and Karl E. Holte. 1981. Vegetation Development over 25 years without grazing on sagebrush dominated rangeland in southeastern Idaho. Journal of Range Management. 34:25-29.
Wambolt, Carl L. and Myles J. Watts. 1996. High stocking rate potential for controlling Wyoming big sagebrush. In: Barrow, Jerry R. et. al. comps. Proceedings: shrubland ecosystems dynamics in a changing environment. 1995 May 23-25; Las Cruces, NM. Gen. Tech. Rep. INT-GTR-338. Ogden, UT: USDA Forest Service, Intermountain Research Station
Peterson, Joel G. 1995. Ecological implications of sagebrush manipulation – A literature review. Montana Fish wildlife and Parks, Wildlife Management Division, Helena, MT.
Wambolt Carl L. and Harrie W. Sherwood. 1999. Sagebrush response to ungulate browsing in Yellowstone. Journal of Range Management. 52:363-369.

[58] Anderson, Jay E. and Rishard S. Inouye. 2001. Landscape-Scale Changes in Plant Species Abundance and Biodiversity of a Sagebrush Steppe Over 45 Years. Ecological Monograaphs, 71(4), 2001, pp. 531-556.

Sage grouse depend almost entirely on sagebrush for food and protection from predators. In the summer, the birds depend on the grasses and plants that grow under the sagebrush to provide nesting material, as well as high protein insects that are critical to the diet of chicks in the first few months of life. In winter, almost 99 percent of their diet is sagebrush leaves and buds. Recent estimates indicate that the sage grouse populations have declined by approximately 86 percent from historic levels. One of the greatest threats to sage grouse populations is the destruction and loss of habitat from a variety of management activities including livestock grazing.[59]

In presettlement times, the range of the sage grouse paralleled the range of big sagebrush. Basin big sagebrush provides important cover for sage grouse.[60] Populations of sage grouse have declined primarily because of loss of habitat due to overgrazing, elimination of sagebrush, and land development.[61] Sage grouse populations began declining from 1900 to 1915, when livestock utilization of sagebrush rangeland was heavy.[62] In the 50's and 60's, land agencies adopted a policy of aggressive sagebrush control in order to convert sagebrush types to grassland. Chaining, frequent fire, and herbicide treatments reduced sagebrush by several million acres and sage grouse numbers plummeted drastically.[63]

Sage grouse historically occurred throughout the range of big sagebrush (*A. tridentata*), except on the periphery of big sagebrush distribution or in areas where it has been eliminated.[64] Sage grouse prefer mountain big sagebrush (*A. t. ssp. vaseyana*) and Wyoming big sagebrush (*A. t. ssp. wyomingensis*) communities to basin big sagebrush (*A. t. spp. tridentata*) communities. Sage grouse are totally dependent on sagebrush-dominated habitats.[65] Sagebrush is a crucial component of their diet year-round, and sage grouse select sagebrush almost exclusively for cover.[66]

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[59] U.S Fish and Wildlife Service April 16, 2004

[60] Benson, Lee A.; Braun, Clait E.; Leininger, Wayne C. 1991. Sage grouse response to burning in the big sagebrush type. In: Comer, Robert D.; Davis, Peter R.; Foster, Susan Q.; [and others], eds. Issues and technology in the management of impacted wildlife: Proceedings of a national symposium; 1991 April 8-4. Snowmass Resort, CO. Boulder, CO: Thorne Ecological Institute: 97-104.

[61] Hamerstrom, Frederick; Hamerstrom, Frances. 1961. Status and problems of North American grouse. Wilson Bulletin. 73(3): 284-294.

[62] Patterson, Robert L. 1952. The sage grouse in Wyoming. Federal Aid to Wildlife Restoration Project 28-R. Denver, CO: Sage Books, Inc. 341 p.

[63] Call, Mayo W. 1979. Habitat requirements and management recommendations for sage grouse. Denver, CO: U.S. Department of the Interior, Bureau of Land Management, Denver Service Center. 37 p.
Mattise, Samuel N. 1995. Sage grouse in Idaho: Forum 94'. Technical Bulletin No. 95-15. Boise, ID: U.S. Department of the Interior, Bureau of Land Management, Idaho State Office. 10 p.

[64] Call, Mayo W.; Maser, Chris. 1985. Wildlife habitats in managed rangelands--the Great Basin of southeastern Oregon: sage grouse. Gen. Tech. Rep. PNW-187. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Forest and Range Experiment Station. 30 p.

[65] Benson, Lee A.; Braun, Clait E.; Leininger, Wayne C. 1991. Sage grouse response to burning in the big sagebrush type. In: Comer, Robert D.; Davis, Peter R.; Foster, Susan Q.; [and others], eds. Issues and technology in the management of impacted wildlife: Proceedings of a national symposium; 1991 April 8-4. Snowmass Resort, CO. Boulder, CO: Thorne Ecological Institute: 97-104.

[66] Patterson, Robert L. 1952. The sage grouse in Wyoming. Federal Aid to Wildlife Restoration Project 28-R. Denver, CO: Sage Books, Inc. 341 p.

When not on the lek, sage grouse disperse to the surrounding areas.[67] Some females probably travel between leks. Patterson[68] reported that in Wyoming, 92 percent of sage grouse nests in Wyoming big sagebrush were in areas where vegetation was 10 to 20 inches (25-51 cm) tall and cover did not exceed 50 percent.

The importance of sagebrush in the diet of adult sage grouse is impossible to overestimate. Numerous studies have documented its year-round use by sage grouse.[69] A Montana study, based on 299 crop samples, showed that 62 percent of total food volume of the year was sagebrush. Between December and February it was the only food item found in all crops. Only between June and September did sagebrush constitute less than 60 percent of the sage grouse diet.[70]

In places, the number of young sage grouse simply is not enough to sustain a stable population. Sage grouse have one of the lowest recruitment rates of any upland game bird in North America. Loss of habitat, predation, drought, and poor weather conditions during hatching and brooding periods have been cited as factors leading to poor recruitment.[71]

Lack of adequate nesting and brooding cover may account for high juvenile losses in many regions.[72] A decline in preferred prey may also result in increased predation on sage

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[67] Wallestad, Richard; Pyrah, Duane. 1974. Movement and nesting of sage grouse hens in central Montana. Journal of Wildlife Management. 38(4): 630-633.

[68] Patterson, Robert L. 1952. The sage grouse in Wyoming. Federal Aid to Wildlife Restoration Project 28-R. Denver, CO: Sage Books, Inc. 341 p.

[69] Beck, D. I. 1975. Attributes of a wintering population of sage grouse, North Park, Colorado. Fort Collins, CO: Colorado State University. 49 p.Thesis.

Call, Mayo W. 1979. Habitat requirements and management recommendations for sage grouse. Denver, CO: U.S. Department of the Interior, Bureau of Land Management, Denver Service Center. 37 p.

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Wallestad, Richard; Peterson, Joel G.; Eng, Robert L. 1975. Foods of adult sage grouse in central Montana. Journal of Wildlife Management. 39(3): 628-630.

[70] Wallestad, Richard. 1975. Life history and habitat requirements of sage grouse in central Montana. Helena, MT: Montana Department of Fish and Game. 65 p. In cooperation with: U.S. Department of the Interior, Bureau of Land Management.

[71] Mattise, Samuel N. 1995. Sage grouse in Idaho: Forum 94'. Technical Bulletin No. 95-15. Boise, ID: U.S. Department of the Interior, Bureau of Land Management, Idaho State Office. 10 p.

[72] Kindschy, Robert R. 1986. Rangeland vegetative succession—implications to wildlife. Rangelands. 8(4): 157-159.

grouse. Nest losses to predators vary throughout the range of sage grouse, but predators are more successful in areas of poor-quality nesting habitat.

Due to their reliance on sagebrush, sage grouse are great indicators of the health of the sagebrush steppe ecosystem on which they depend. Literature previously cited indicates that
25-34 sage grouse need higher levels of sagebrush canopy cover than the RMP indicates and livestock reduce that cover.

These factors may put healthy sage grouse habitat at odds with livestock grazing in some areas of the SFO. How will the agencies and the management plan provide these resources?
25-35 How will sage grouse, leks, brood rearing cover, and other resources be affected by the proposed management direction? The FEIS must include this information.

We recommend that the BLM follow the recommendations for managing sage grouse that are found in A Blueprint for Sage-grouse Conservation and Recovery by Clait E. Braun, Ph.D. Grouse Inc., Tucson, Arizona, **May 2006.** Furthermore, the FEIS should discuss whether or
25-36 not the proposed action complies with the Bureau of Land Management National Sage-Grouse Habitat Conservation Strategy USDI, November 2004.

Fire

Big sagebrush habitat types are the dominant vegetation communities on the majority of public lands in the planning area. At mid to lower elevations, Wyoming big sagebrush is the dominant habitat type that provides important habitat for mobile wildlife species such as mule deer, pronghorn, and. Basin big sagebrush is intermingled.

Few if any fire history studies have been conducted on basin big sagebrush. Sapsis[73] suggests that fire return intervals in big sagebrush are intermediate between mountain big sagebrush (5 to 15 years) and Wyoming big sagebrush (10 to 70 years).[74] It is important to note that "given the wide range of fuel situations and our understanding of yearly climatic variation in the sagebrush ecosystem, a naturally wide variation in fire frequency in this system should be expected."[75]
25-37

In many big sagebrush communities, changes in fire occurrence have occurred along with fire suppression and livestock grazing. Prior to the introduction of annuals, insufficient fuels may have limited fire spread in big sagebrush communities. Introduction of annuals has increased fuel loads so that fire can easily carry. Burning in some big sagebrush communities can set the stage for repeated fires. Fire frequency can be as little as 5 years, not sufficient

[73] Sapsis, David B. 1990. Ecological effects of spring and fall prescribed burning on basin big sagebrush/Idaho fescue--bluebunch wheatgrass communities. Corvallis, OR: Oregon State University. 105 p. Thesis.
[74] Ibid.
Young, James A.; Evans, Raymond A. 1981. Demography and fire history of a western juniper stand. Journal of Range Management. 34(6): 501-505.
[75] Sapsis, David B. 1990. Ecological effects of spring and fall prescribed burning on basin big sagebrush/Idaho fescue--bluebunch wheatgrass communities. Corvallis, OR: Oregon State University. 105

time for the establishment and reproduction of big sagebrush. Repeated fires have removed big sagebrush from extensive areas in the Great Basin and Columbia River drainages.[76]

Fire severity in big sagebrush communities is described as "variable" depending on weather, fuels, and topography. However, fires in big sagebrush communities are typically stand replacing.[77] In Idaho, wildfires in basin big sagebrush-needle and thread grass communities may create unstable soil conditions leading to wind erosion and "difficulty in seedling establishment."[78]

25-37

Loss of big sagebrush as a result of a fire may decrease both food and cover for pygmy rabbits and sage grouse. Big sagebrush is often completely killed by fire and is slow to reestablish on burned sites. On the Upper Snake River Plains in Idaho, big sagebrush did not recover to prefire densities until 30 years after an August fire.[79] Big sagebrush may be eliminated from some areas due to repeated fire.[80] Fires, including prescribed fires, that eliminate much of the big sagebrush would have an adverse effect on the pygmy rabbit and sage grouse populations in that area.

In general, burning in cheatgrass-infested big sagebrush types is not recommended if cheatgrass cover exceeds 50% or if cover of fire-resistant native grasses is less than 20%. Cheatgrass is more likely to invade after fire if the dominant native grass is not a fire-resistant species (for example, Thurber needlegrass or Idaho fescue) or if native grasses were in poor condition prior to fire.[81] Artificial seeding with native grasses is recommended after fire if cheatgrass was a major component of the prefire community or if it was a minor component and native grasses were in poor condition.[82] Communities in good condition may at least partially recover from temporary post fire increases in cheatgrass, especially when fire is followed by favorable precipitation.

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[76]Bunting, Stephen C. 1990. Prescribed fire effects in sagebrush-grasslands and pinyon-juniper woodlands. In: Alexander, M. E.; Bisgrove, G. F., technical coordinator. The art and science of fire management: Proceedings of the 1st Interior West Fire Council annual meeting and workshop; 1988 October 24-27; Kananaskis Village, AB. Information Rep. NOR-X-309. Edmonton, AB: Forestry Canada, Northwest Region, Northern Forestry Centre: 176-181.

[77] Sapsis, David B.; Kauffman, J. Boone. 1991. Fuel consumption and fire behavior associated with prescribed fires in sagebrush ecosystems. Northwest Science. 65(4): 173-179.

[78] Collins, P. D.; Harper, K. T. 1982. Habitat types of the Curlew National Grassland, Idaho. Provo, UT: Brigham Young University, Department of Botany and Range Science. 46 p. Editorial draft.

[79] Chaplin, M. R.; Winward, A. H. 1982. The effect of simulated fire on emergence of seeds found in the soil of big sagebrush communities. In: Society for Range Management Abstracts: Proceedings, 35th Annual Meeting of the Society for Range Management; [Date of conference unknown]; Calgary, AB. Denver, CO: Society for Range Management: 37. Abstract.

[80] Collins, Ellen I. 1984. Preliminary classification of Wyoming plant communities. Cheyenne, WY: Wyoming Natural Heritage Program/The Nature Conservancy. 42 p.

[81] Pechanec, Joseph F.; Stewart, George; Blaisdell, James P. 1954. Sagebrush burning good and bad. Farmers' Bulletin No. 1948. Washington, DC: U.S. Department of Agriculture. 34 p.
West, Neil E.; Hassan, M. A. 1985. Recovery of sagebrush-grass vegetation following wildfire. Journal of Range Management. 38(2): 131-134.

[82] West, Neil E.; Hassan, M. A. 1985. Recovery of sagebrush-grass vegetation following wildfire. Journal of Range Management. 38(2): 131-134.
Young, James A.; Evans, Raymond A.; Weaver, Ronald A. 1976. Estimating potential downy brome competition after wildfires. Journal of Range Management. 29(4): 322-325.

25-37

Extreme care should be exercised when planning the use of prescribed fire or other vegetation treatments in sagebrush communities in the planning area. The NEPA document for the management plan should disclose the areas where the future use of prescribed fire is proposed, how noxious weeds, livestock grazing, soils, vegetation, wildlife, and other resources will be affected by such management.

Fire that destroys large tracts of sagebrush, or destroys key winter habitat, can be harmful to sage grouse and other sagebrush obligates.[83] Martin[84] suggested that had nesting habitat been limiting, large-acreage fires would probably adversely affect sage grouse populations. Autenreith and others[85] recommend that fire in winter use areas be applied cautiously: What may appear as an excess of sagebrush in summer may provide only minimal amounts of sagebrush in winter.

Additionally, sage grouse show lek fidelity and may not use burns as lekking grounds if there is a sufficient number of old leks.[86] Areas immediately surrounding leks, however, are heavily used as nesting grounds, and fire in areas surrounding leks may have a negative impact on consequent use of the surrounding areas by hens. Wallestad and Pyrah[87] recommend that sagebrush within 1.9 miles (3.2 km) of a lek not be burned in order to protect nesting habitat. Fire on the nesting grounds is not recommended in any season if nesting habitat is limited.

WWP appreciates the opportunity to comment on the Surprise RMP and DEIS. Please keep us informed as this process progresses, and feel free to contact me with any questions you may have in regards to these comments.

Sincerely,

Jen Nordstrom
WWP

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[83] Klebenow, Donald A. 1969. Sage grouse nesting and brood habitat in Idaho. Journal of Wildlife Management. 33(3): 649-662.
Klebenow, Donald A. 1973. The habitat requirements of sage grouse and the role of fire in management. In: Proceedings, annual Tall Timbers fire ecology conference; 1972 June 8-9; Lubbock, TX. No. 12. Tallahassee, FL: Tall Timbers Research Station: 305-315.

[84] Martin, Robert C. 1990. Sage grouse responses to wildfire in spring and summer habitats. Moscow, ID: University of Idaho. 36 p. Thesis.

[85] Autenrieth, Robert; Molini, William; Braun, Clait, eds. 1982. Sage grouse management practices. Tech. Bull No. 1. Twin Falls, ID: Western States Sage Grouse Committee. 42 p.

[86] Benson, Lee A.; Braun, Clait E.; Leininger, Wayne C. 1991. Sage grouse response to burning in the big sagebrush type. In: Comer, Robert D.; Davis, Peter R.; Foster, Susan Q.; [and others], eds. Issues and technology in the management of impacted wildlife: Proceedings of a national symposium; 1991 April 8-4. Snowmass Resort, CO. Boulder, CO: Thorne Ecological Institute: 97-104.

[87] Wallestad, Richard; Pyrah, Duane. 1974. Movement and nesting of sage grouse hens in central Montana. Journal of Wildlife Management. 38(4): 630-633.

Comments On Surprise BLM EIS ending 7/25/ 06 By Raymond Page P.O. Box 157 Cedarville, CA 96104

My comments are from a standpoint as a member of this community who has lived here most of my life. My memory of, and involvement in, the natural things of our area for over 60 years leads me to question many of the " Government Actions " which have taken place in the past which has led to a decrease in our local economy, customs, culture and heritage. Interestingly, Cedarville has the same population (about 600) that it had when I moved here to live in 1953, but the demographics of the population have changed. Surprise Valley, and the surrounding area in 1953 was a community in balance with the environment and use of its natural resources. In the 1950's the schools had twice the number of students as today. The Sheldon Refuge contained 36 square miles and employed 3 or 4 families that lived in Surprise Valley. Wildlife was plentiful and there were many viable ranches, some were self-contained family farms and many were larger ranches that depended on federal ranges as part of their business operations. It is not to say that all was perfect during the era from the passage of the Taylor Grazing Act until the mid 1960's, but progress in range management was made. In the 1960's reductions in the number of livestock on the federal range was made by the government but this action produced little positive impact on range conditions or wildlife numbers and had a negative effect on our local economy. With the passage of NEPA, FLPMA and PRIA a new era of uses and planning emerged. Management plans made in the 1980's have helped the range conditions, but has had minimal positive effect on the local economy. Present management has now reached a point that we are leaving too much fine fuel in the form of dead standing grass after the grazing season which has contributed considerably to the increased of wildfires.

General Comments

1. The word " ALL" is used excessively in this document! We must remember that this document will shape the management of the Surprise BLM for 20 year. Although the majority of the time an action may have wisdom, seldom are there actions where there are not exceptions. We request that the BLM eliminate the majority of the term "all" in it's final document.

26-1

2. The apparent intent of congress in the terms, consult, cooperate, coordinate, was met to be between the agencies and the permittees, however it would appear that in this document these terms have been directed to most other areas and has been lacking when dealing with the permittees.

26-2

3. The BLM should be more cautious when putting limitations on its management. Upper, self imposed limits, on acreage to be controlled with words such as ALL & NO NEW, as used in this document will most likely come back to haunt the BLM as it tries to manage the land in the next 20 years. Past experience of limitations has moved the agency to a " can't do

26-3

↑ " organization. The people of the U.S. hire good people to manage the land and resources, but we have not hired them to inundate themselves in

26-3 piles of needless paper work while accomplishing little true management.

4. Number of AUM's, this plan should include the total number of AUM's allocate to the Surprise Resource Area. It needs to include the total

26-4 number of active AUM's, the 20% of the AUM's that were temporarily suspended west wide in the 1960's until plans were in place and the AUM's that have been suspended on various allotments until improvements in management and range conditions were met. The general goal of range in good to excellent conditions is desirable, however it can only be accomplished if we all work together to obtain the various goals that may vary from specie to specie, from place to place, and from person to person. Taking from one partner and giving to another, with out balance will not work!

1.1 Purpose & need (impact analysis 15-20 years?) …. Diverse, healthy & productive. ….. There is mention of " New Information, changed

26-5 circumstances, & recourse conditions, what are they? …. RMP a major federal action that will affect the quality of human life. ####

1.2 Changing circumstances, we agree that people from Lakeview, Klamath Falls, Redding and Reno and elsewhere have a desire to use the

26-6 backcountry as their playground and then go home. However the local BLM has a greater responsibility to the local economy and the local people than it seems to indicate in this document. Collaboration and coordination with permittees is imperative if progress is to be made toward many of the stated desired conditions in the proposed Draft RMP.

26-7 Economics? A true consideration of local economics seems to be lacking in this document

Alternatives

Air (2.1)

Air quality is important, however limiting prescribed burning to less than ½ of 1% of the resource area per year would appear to place an unworkable cap on

26-8 management. Managers need more flexibility to deal with such things as yearly budgets & weather conditions. In addition evidence appears to show that most of the current man made air pollution in the resource area comes form the California Central Valley and the I-5 corridor. Should controlled burns really be capped at 5000 acres per calendar year?

Culture (2.2)

26-9 It would appear that the most recent human culture in the Surprise Area has been left out of this government document. We must remember that European settlement began here over 145 years ago, and although this may seem a short time in comparison to the three stone aged migrations that preceded the current immigrants, we have recent European immigrants whose ancestors have lived here for over 8 generations. These historic 145 years was a time when most of the world's population came out of the horse and wagon age into modern age with autos, airplanes and computers. There is a record of this history scattered through out the SFO, which likely should be preserved. It is felt by some that past government agency actions and current BLM planning has overlooked its responsibility to preserve our present and past history, culture, and customs. As examples, the mysterious burning of the Badger Bunk House and the Conlon Camp Cabin.

26-10 CRMP's (2.2.5 page2-11) Most of these plans should include the permittees, the 180,000 acres involved represent about 15% of the SFO area and 14% of the proposed number of Livestock AUM's. Past experiences of government actions on the Sheldon Refuge and the recent NCA have greatly reduced the livestock business, which is the mainstay of the productive economy in our community. Unfortunately, small well-intended schemes often work to the detriment of our community's viability. Small acreages of set aside may be of value, however large areas should not be taken. Permittees must be included with staff interdisciplinary teams? The possibility of exchanges of archaeological sites or other mutually beneficial arrangements may exist with consultation on this matter.

Energy & Minerals (2.3)

26-11 1. Consideration of livestock operations was left out of the objective for minerals (3.2).

26-12 2. WSA are only study areas they should have been release years ago as the study was done by the BLM and were not recommended for wilderness. (3.3) 4

26-12 3. WSA should be released they were studied by BLM and determined as unsuitable for wilderness years ago. (3.8).

26-13 Locatable Minerals (4.8) The Preferred Alternative sounds good to me.

26-12
26-14 Saleable Minerals (5.3) Most WSA should be released and used. The Preferred Alternative sounds good. (5.8)

Fire Management (2.4)

26-15 The preferred alternative at (2.4.10) sounds good, however, prescribed let burn plans land maps should be on file as results of livestock AMP's. A let burn policy based on sound planning and good science could help the environment and range conditions in many areas.

Forestry (2.5)

26-16 The Preferred alternative sounds good. (2.5.10)

Fuels Management (2.6)

26-17 The preferred alternative sounds good, however it would seem that prescribed fire and mechanical treatment should be separated. The reason for the 5000 acres upper limit would appear to be a function of air quality. {see 2.1.10}. BLM in-house hand fuel treatment contributes very little to air pollution therefore should be treated as a separate matter. Commercial mechanical treatment is addressed well in the last sentence of the preferred alternative at (2.6.10).

Lands and Realty (2.7)

26-18 The preferred alternative sounds ok, however we oppose any trade or purchase that would leave the counties evolved with a lesser tax base! The Federal Government already owes to much land in Washoe, Lassen & Modoc Counties!

The Following is out of place and is a comment on information from the affected environment section. We will leave it here for now and skip back to (2.8 following this statement.)

26-19 We question some of the assumptions and validly of statements written in the Historical setting statement, page 3-9. Grazing started in the 1860's over 140 years ago, not 100 years as implied in the statement. There were 70 years of continued increases grazing until 1934 when the ranchers pushed for the passage of The Taylor Grazing Act. The range supported the livestock after the act was passed in 1934, however recovery in many places was slow until the 1980's when management was instigated. There was little real improvement in the range after reductions in livestock numbers (1960 to 1985). It was not until season long grazing use was addressed and more proper time of use of the plants evolved through allotment planning that there was much annual increase in forage production and a movement toward better balanced plant communities.

26-20 Allotments that is moving toward but not yet meeting Standards and the wild horse problem. It is an interesting fact that a review of the wild horse map and the map representing standards being met will almost overlap, (see map GRZ –

1 & map WHB – 1). Those allotments moving toward, but have not yet met standards (in pale green) have horses! It would appear that damage done to the riparian of these allotments, which prevents them from meeting standards, could be very possibly the results of wild use. We must remember that the horses are on these allotments for 12 months of the year and roam uncontrolled. We understand that budgets, planning loops and other factors have kept BLM from keeping the horse numbers in check, however we feel the livestock industry has taken the blame and financial loss due to the agencies, and the general horse loving public's, in-ability to do their job in managing the wild horses, for what ever reason. In search of the truth we ask the following questions. Has livestock use and wild horse use been lumped together? Has the BLM kept the horse numbers at the level prescribed? Has the BLM documented damage done to riparian areas by wild horses? Has the BLM repaired fences torn up by wild horses? Has the BLM maintained their exclosure fences? We feel a search to answer these questions will lead the agency to the conclusion that the agency must manage its commitments in order to be successful meeting the riparian and utilization goals and standards.

26-20

(2.8) Livestock Grazing

Paragraph page 2-39.

We believe this statement at (2.8 page 2-39) to be a half-truth, the Northeastern California and Northwestern Nevada (RAC) recommendation for standards were quite different than these presented. However secretary Babbitt chose to force his will on this area and pressured the acting state director to implement standards other than those recommended by the RAC. He in fact did not take the advice of his appointed resource advisory committee! Please delete these standards.

26-21

(2.8.5) Paragraph 5, Exclosure fences are a good tool for management however it should be clear in the planning process what the purpose of the exclosure is, and the parties responsible for construction and maintenance of the exclosure.

26-22

We request you eliminate the sentence " Gates to water traps would be left open when not required for livestock control (e.g. pasture rest years, post-season) to facilitate access for big-game and wild horses." In many cases it is in fact the wild horses that are damaging the riparian or other areas being protected, the construction parameters of such exclosures already provide for water sources outside exclosures. This statement followed as a standard would create many time consuming and unnecessary management and enforcement situations that may in fact defeat the reasons for the exclosures. This is a matter that should be dealt with in individual AMP's on a case-by-case basis and not as a standard.

26-23

(2.8.5)

Relinquishment of grazing permit or preference. (page 2-42)

26-24 We request the BLM insert a statement, as 1A or at another approiate location, which would first offer the relinquished permit or abandoned AUM's to the permittees associations, other permittees on common allotments, or other permittees on another adjacent permit or allotment. We believe this should be done prior to items 2 through 4 of this statement.

(2.8.10)Preferred Alternative

In Paragraph 3 of (2.8.10) on page 2-44 the statement regarding sheep is unacceptable! We strongly recommend the second portion of sentence one after the comma and all of sentence two be completely eliminated! (see , ... " providing there is no evidence of disease transmission from domestic sheep to big sheep. If such evidence does appear, sheep permits would be converted to cattle. ") This statement alone is enough to most likely trigger an appeal of the entire document. We have attempted to give some reasons for our concern over this matter in the following paragraph.

26-25 There are, NOW TODAY, more than 2700 square miles, 1.7 million acres, where reintroduced Big Horn sheep can exist and not be adjacent to domestic sheep; this includes the Sheldon Refuge, the Hayes Range adjacent to Surprise Valley and easterly, and the entire Surprise Resource Area north of T39N. Domestic Sheep are not only a good tools for range management, but are part of our communities history, customs and culture along with our economic base. Most areas can produce more forage with a more diverse biotic community where a variety of animals range, to change sheep to cattle may destroy the balance that now exists in the few allotments where sheep remain (less than 10% of the SFO area) and lead to more management problems. Big horn sheep may be a pleasure to see and fun to hunt by those few persons allowed to hunt them, however their importance does not outweigh the other factors as stated above. No-where in NEPA, FPLMA, PRIA or the Taylor Grazing Act Does it say or even imply that such things as Big Horned Sheep should take presidency over domestic livestock. Domestic Sheep have already been eliminated from the majority of the Surprise Resource Area! It is time to stop this elimination of our local heritage!

Recreation (2.9)

This section sounds basically good; we believe the BLM could aid recreational use or information by considering some of the following suggestions.

1. 26-26 Include a highway 299/8A wild horse heard viewing area near the California/Nevada state line east of Cedarville. These horses are colorful and can be seen quite often from the main roads, especially in winter.

2. Put a positive spin on livestock on the range, the situation exists in our area where the fact of livestock foraging on the open range could be promoted as a vestige of our western culture. For several years' environmentalist, biologists, and other anti livestock groups have attacked the range livestock business that use federal range as an expanded part of their operations, however fact that livestock can still be seen foraging on the open range with few fences is a unique opportunity for most of the people of the United States and should be appreciated.

26-27

3. There is a BLM kiosk at the mouth of Cedar Canyon west of Cedarville it has been there for several years, empty, please put some information in it.

26-28

Soils (2.10.10)

Preferred Alternative sounds good.

26-29

Special Area Designations (2.11)

In general we oppose further ACEC designations, the current Black Rock/High Rock NCA started as an ACEC. The (WSA), Wilderness STUDY Areas were just that study areas, not wilderness, they were studied and the BLM recommended those areas that met the criteria for wilderness many years ago! We request this document recommend release all WSA's with perhaps the exception of the Massacre Rim.

26-30

Wild and Scenic Rivers (2.12)

We wish we actually had more rivers, if we did, there would more production and the economy would not have to depend on desert livestock and federal agency jobs as an economic base.

If in fact the Surprise Field Office makes a recommendation to Congress that 2.2 miles of Twelve Mile Creek becomes a wild and scenic river, we request that the BLM also request that all WSA in the SFO be released, except Massacre Rim.

26-31

Wilderness Study Areas (2.13)

We request that the SFO recommend to Congress the release of all WSA's within the SFO with the exception of Massacre Rim. This could be done in the same recommendation that requests 2.2 miles of Twelve Mile Creek becomes a wild and scenic river. (see 2.12.10 page 2-65).

26-31

Travel Management (2.14)

We are out of time to analyze and comment. However please do not close travel ways for use for management.

26-32

Vegetation (2. 16)

26-33 Vegetation management can occur using livestock as a tool, this option is often overlooked and should be considered more often.

Weeds (2. 17)
Weeds are a result of a mobile society, under grazing, poverty, and improper ground disturbance. Keep up your efforts for control.

Special status plants (2.18)
Out of time to analyze and comment.
Visual (2.19)

Water Quality (2.20)

Water Supply (2.21)

Wild Horses and Burros (2.22)

Wildlife and Fisheries (2. 23)
Need to comment on and perhaps protest and appeal. (2.23.15)

Utilities, Transportation, and Telecommunications (2.15)

26-34 The information in this section is not clear, the preferred alternative seems to contradict itself. In sentence one it allows additional site development, however in the next to the last sentence it states no new corridors would be developed. (see 2.15.9 page 2-75). If changes in energy production shifts, from fossil fuels to renewable energy sources such as solar, wind, water, nuclear or others, this document should not be developed to create obstructions to change. The intent of FLPMA, NEPA and other laws was not to create obstruction to good planning or development, but to aid in the consideration of the several options available. There are thousands of R.S. 2477 Right of Ways in the SFO which can be used for transportation of goods and services, which include wire and water, however at times it is logical both economically and environmentally to consider other options than what is now existing.

26-35 WSA, s, The Designation of Wilderness was to be done several years ago and the BLM, after studying the many areas to meet the criteria for wilderness, recommended the places to Congress to be placed in wilderness, which we believe they did, however for some reason or oversight, Congress did not release the remaining study areas. We are asking the Surprise BLM to release WSA not made into wilderness under this Plan.

We further request that the following WSA be diminished in size or dropped from wilderness consideration.

Granger Canyon, this area is adjacent to the Modoc National Forest South Warner Wilderness and is basically rim-rock, however there is a private road corridor that passes through the area. The road has been used for travel to
26-36 private property, recreation purposes, and has been used to haul commercial logs and forest products out of the Modoc National Forest. We request that, if in fact this area becomes wilderness, the boundaries be defined to extend no further north than ½ mile south of the existing road easement corridor or be dropped from wilderness consideration altogether.

The Bald Mountain area, in the Tuledad Allotment about 3 miles south of the town of Eagleville is also adjacent to the South Warner Wilderness however it is crisscrossed with roads. Modoc County Road 1 is adjacent on the east and
26-37 County Road 42 cuts right through the middle of it. The area has burned off several times in the last few years and it was necessary for heavy fire equipment to travel over the area to make fire lines. If this area were made into wilderness it would most likely create a health and safety problem for the people of Eagleville and surrounding area. We recommend this area be dropped as wilderness for safety reasons.

The Buffalo Hills Corner of the Tuledad Allotment is crisscrossed with roads, fences and other facilities that do not make it compatible as wilderness. The
26-38 infrastructure in the area is part of pre 1976 improvements covered under R.S. 2477 and are an important part of livestock management, wild horse management, recreation and other uses. We request this area be dropped from wilderness consideration.

We do not have enough information at this time to comment on the other WSA to make intelligent comments.

Travel Management (2.14)

Since the time of European settlement travel over the open areas of the public domain, the federal land now controlled by the BLM, was open to self-reliant people that had a purpose in their activities on the open range. They usually went prepared to survive and return home with out help, however today many people venture into the backcountry and expect government to save them if they get into trouble. We believe the efforts of the BLM to place some controls on the general
26-39 public is justified from a public safety stand-point, however traditional uses and back roads should not be denied to traditional users such as ranch operators, miners, and other self reliant users. Travel management should consider relative

risk and safety levels for the general public that may be unfamiliar with the high desert.

Utilities (2.15)

The Goal, Objectives, and Desired Future Condition seem correct in that they imply that current corridors and communication sited will be used when ever possible, however the preferred alternative seems to contradict these statements in that it states that no new corridors or communications site would be allowed.
26-40 It would appear that this alternative was poorly thought out and if implemented may cause many unnecessary hurdles in the event that new sources of green energy come on line in the next few years. We appear to be at a cross road in our nations energy needs with fossil fuels at $3 per gallon and our skies turning gray. Our area has several options such as geothermal, wind, nuclear, solar and hydroelectric plants to look to the future in planning. To state that no new … would be developed is very short sited.

Vegetation (2.16)
We do not have time to analyze your entire vegetation information. We like your
26-41 preferred alternative but request you add animal impact to the list at(2.16.10 paragraph 1 last sentence). The sentence could be … " native grasslands each year using prescribed burning, chemical, animal impact, and mechanical treatments.

Weeds (2.17)
Out of time to analyze, the preferred alternative sounds good, keep up the good work.

Special Status Plants (2.18)
No time to analyze, no comment.

Visual Resource Management (2.19)
As a person that enjoys the open space and unaltered view of the desert I can appreciate the efforts of the BLM to consider the visual result of its actions. With many private parcels scattered throughout the SFO it would be hard, if not impossible for BLM to control the view shed as a whole. One policy that will most likely help keep an unaltered view shed in place is for the BLM to work toward a
26-42 healthy livestock industry. As it becomes less and less profitable to run livestock on the BLM, ranchers tend to sell their scattered parcels of property to make ends meet, soon old line-shacks or corrals that tend to blend into the landscape are replaced by house trailers, old cars, container boxes and other things that interrupt the pleasures of open spaces.

Water (17)

Wild Horses (18)

Wildlife (19)

Coordination

26-43 Livestock is the main focus and event of the BLM, which is an administrative outgrowth of the Taylor Grazing Act. The intent of Cooperation, Coordination clauses of PRIA and FLPMA was to cooperate and coordinate with the livestock permittees in planning process while consultation with other interested publics. However it is apparent that the people involved in this planning process have lost site of this idea and taken a course 180 degrees from the intent. We note that there are 3 livestock operators on the Northeast California Resource Advisory Committee this is 20% of the RAC which does not necessarily represent the livestock permittees. In a review of table 5.1-1 we will note no coordination with permittees or Allotment Associations, which have legal standing.

26-44 At this point in time I am out of time to further analyze and comment on this proposed plan. I request an extension of time and wish to make oral comments on those sectors not commented yet on.

Thank you:

Ray Page
P.O. Box 157
Cedarville, CA 96104

California Native Plant Society

Vivian Parker
Conservation Coordinator
Sierra Nevada Region
6221 Shoo Fly Rd.
Kelsey, CA 95667

July 31, 2006

Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130
RE: Surprise RMP Comments
Attention: Planning Coordinator

Sent via e-mail to: necarmp@ca.blm.gov

The following comments are submitted by the California Native Plant Society (CNPS) regarding the recently released draft Resource Management Plan (RMP) and environmental impact statement for management of the BLM's Surprise Field Office, covering approximately 1,220,644 acres of BLM managed public lands in northeastern California and northwestern Nevada. The management plan covers all the BLM holdings in Modoc and Lassen Counties in California, and Washoe and Humboldt Counties in Nevada.

CNPS is a non-profit organization of more than 10,000 laypersons and professional botanists organized into 32 chapters throughout California. The mission of the California Native Plant Society is to increase understanding and appreciation of California's native plants and to conserve them and their natural habitats, through education, science, advocacy, horticulture and land stewardship. Our members and chapters work closely with State and Federal agencies to manage and conserve rare and common botanical resources in California. Our members use the lands within the Surprise Field Office of the BLM extensively for research, education and recreation.

The BLM proposes to continue annual authorization of livestock grazing for 92,465 AUMs of forage on 1,445,443 acres, including virtually the entire planning area. These livestock authorizations would not change over the life of the plan (20 years) (p. 4-151). The RMP and DEIS also proposes to continue seeding non-native crested wheatgrass on

45,140 acres to increase livestock forage. In addition, the BLM proposes to allow removal of western juniper on over one million acres of the planning area.
The following issues and recommendations are provided to help the BLM to better manage rare native plants and plant communities in the Surprise Field Office area.

Issue 1. Lack of information about Special Status Plants (SSPs)
Special Status Plants are by definition plants which qualify as candidates for federal listing under the Endangered Species Act (BLM Manual Suppl.for Calif.). CNPS is particularly concerned about the impacts to special status rare native plants (and all native plant communities) from livestock grazing, seeding of non-native grasses, juniper eradication schemes, invasive non-native weeds, off-highway vehicle traffic, and mining activities. The draft EIS and RMP is lacking in sufficient detail regarding the status of the seven Special Status Plants found in the Surprise Field Office planning area and the impacts to them from management activities in the RMP.

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In fact, the DEIS fails to even list what the species are. Further, only one page is given to analysis of the environmental impacts to Special Status Plants (p. 3-81). The DEIS states: "Table 3.15-2 contains a list of these species, with information on their regional distribution, local occurrence, legal status, habitat requirements, and threats to their populations." However, no such table exists, and Table 3.15-2 lists only noxious weeds, not special status rare plants. This omission must be corrected in the FEIS.

Further, the DEIS acknowledges that no monitoring has taken place recently to determine the status of these species, and no monitoring requirements are included in the plan:

> No ongoing monitoring or surveys for the purpose of discovering new occurrences of special-status plants is being conducted in the Surprise Field Office area. Some occurrences of special-status plants have been monitored in the past, specifically those occurrences associated with the Hog Ranch Mine; however, these have not been monitored recently. Without exception, surveys for special-status plants conducted by Surprise Field Office staff are associated only with proposed surface-disturbing activities. (p. 3-81).

The DEIS also acknowledges that suitable habitat exists for an additional 12 rare plants, but without monitoring, active surveying and inventory, it is not possible to determine whether or note these species occur in the area or what the impacts from management activities and planning will be. BLM policy requires protection of habitat for SSPs as well as known populations, and inventory of lands to determine presence or absence of species.

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The foundation of science-based land management is cause and effect monitoring to determine what effects management decisions are having upon natural resources. Failure to conduct monitoring, and failure to include inventory and monitoring requirements in the RMP does not meet the intent of NEPA which requires collection of high quality scientific information in order to make good decisions (40 CFR 1500.1(b,c)).

Mitigation measures must further be supported by analytical data (Idaho Sporting Congress v. Thomas, 137 F.3d 1146, 1151 (9th Cir. 1998)). The DEIS fails to identify

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specific mitigation measures for impacts to SSPs. Without accurate data it is not possible to determine the environmental impacts of the RMP. Annual monitoring of special status plant populations should be included in the RMP, and surveying should be conducted on an on-going basis for all suitable habitat to determine, at a minimum, what species occur in the region.

BLM Manual Supplement H-6840-1, California State Office (1996) requires the BLM to manage SSP habitat to conserve species by:

> a. Including candidate plant species as priority species in land use plans (BLM MS 1622 - Supplemental Program Guidance for Renewable Resources).
> b. Developing and implementing rangewide and/or site-specific management plans for candidate plant species that include specific habitat and population management objectives designed for recovery, as well as the management strategies necessary to meet those objectives.
> c. Ensuring that BLM activities affecting the habitat of candidate plant species are carried out in a manner consistent with the objectives for managing those species.
> d. Monitoring populations and habitats of candidate plant species to determine whether management objectives are being met.
> 3. Request technical assistance from the FWS, and any other qualified source, on any planned action that may contribute to the need to list a candidate plant species as T/E.
> 4. Prepare biological evaluations that assess the effects of proposed actions that may adversely affect candidate plant species.

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At the minimum, the EIS and RMP should include a list of all the SSPs. For each species, include: a description of habitat requirements and ecology; current population trend and status both throughout the range of the species and within the Surprise Field Office; a description of existing management plans and programs for each species and description of the effects these have had to date in helping the recovery of the species; and a description of suitable habitat conditions and trends for each species.

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Habitat needs for species must be assessed in quantitative and qualitative terms. Data references must be provided to the various habitat types for the species described, discussion regarding amounts of habitat for the various life cycle functions for the species, how the habitat has been (or will be) affected by past, current and reasonably foreseeable future actions.

Issue 2. Scientific controversy regarding consideration of western juniper as an "invasive species," and misleading or false statements about juniper ecology

For purposes of management of federal lands, the 1999 Executive Order on Invasive Species (E.O. 13112) uses the following definition:

> "(f) 'Invasive species' means **an alien species** whose introduction does or is likely to cause economic or environmental harm or harm to human health."

Clearly, by any ecological description, western juniper is native to the ecosystems encompassed by the BLM Surprise Field Office. The RMP and DEIS calls western juniper an "invasive species" and proposes unfettered removal of the species on 1,035,706 acres (p. 4-166), now under the guise of "restoration" of sage-steppe. We are not opposed to appropriate thinning of juniper for fire resilience and fire safety in the Wildland Urban Interface, or for sage grouse restoration conducted with carefully designed scientific principles that include monitoring and removal of livestock. However, there is no evidence that the juniper eradication as planned will result in restoration of anything having to do with native and natural ecosystems and processes. In reality, annihilation of this plant community has been going on for the last 150 years in order to provide more forage for livestock, under the guise of "range improvement." The DEIS and RMP fails to provide any scientific basis for juniper invasion outside of a range management context, nor does it provide any documentation of restoration benefits from its removal. Further, the DEIS states: "The historical coverage and conditions of juniper in the field office area are unknown " (p. 3-38). The EIS must correctly describe the history of juniper woodland distribution and baseline vegetation must be described by a professional ecologist. Ecological conditions must be evaluated at a reasonable scale, such as by sub-watershed. The climate, importance to wildlife, soils and precipitation, slope, elevation, and aspect should inform the determination of whether or not the presence and density of juniper is within the range of potential natural vegetation. Further, the role of juniper as an important carbon sink during this era of global warming should also be considered in the cumulative impacts analysis.

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NEPA states: "Agencies shall insure the professional integrity, including scientific integrity, of the discussions and analyses in environmental impact statements. They shall identify any methodologies used and shall make explicit reference by footnote to the scientific and other sources relied upon for conclusions in the statement." (40 CFR 1502.24).

Further, Section 102 of the National Environmental Policy Act (NEPA), requires that: "All agencies of the Federal Government shall—

(E) Study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;…

(H) Initiate and utilize **ecological information** in the planning and development of resource-oriented projects." Sec. 102, (E), (H) [42 U.S.C. § 4332].

Plant populations naturally expand and contract in response to a variety of gradients but especially in response to climate shifts (Davis 1986). We find that there is not sufficient evidence that junipers are expanding their range in response to fire suppression. Rather, we find there is significant scientific controversy regarding this issue. Range researchers cite fire suppression and refer to the expansion of juniper as "invasion" or "encroachment." Botanists, paleoecologists, and climatologists, on the other hand, refer to juniper "expansion" as natural succession and a result of climate shifts or a result of several convening factors. For example, climate researchers determined that "on the average, the period from about 4000 to 2000 B.P. witnessed fluctuating expanses of juniper woodlands exceeding those of today" (Mehringer and Wigand 1987). Disclosure

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of these issues must be included in the EIS, and the ecological impacts of continuing a policy of eradication of juniper must be thoroughly analyzed.

27-5 The climate has been warmer and wetter during the last 150 years, juniper establishment is limited by moisture, and it is the role of climate in its re-establishment is preeminent. The role of climate must be thoroughly addressed in the EIS, since "[c]limate is not a landscape component as much as a landscape determinant" (Stine 1996). Climate has the greatest impact on forest composition than any other factor.

According to *Intermountain Flora* (Cronquist, Holmgren, Holmgren and Reveal 1986), the pinyon-juniper zone is:

> "found between 5,000 and 8,000 feet elevation, **with the lower limits determined by lack of moisture**. The pinyon-juniper woodland develops in areas where the annual precipitation is usually in excess of about 12 inches…The juniper is found in pure stands at the lower elevational limits of the zone and often extends into the Sagebrush Zone along the side of draws" (emphasis added).

Climate is the most significant issue because moisture is **the** limiting factor in juniper establishment. Research has shown that climate has fluctuated between warm and cold, wet and dry repeatedly over the last 20,000 years (Kinney 1996). Most importantly, the climate shifted dramatically right around 1850 to a warmer, wetter period:

> "In temperature, the shift was from the coldest century-scale interval of the Holocene, as indicated by the tree-line and glacier records, to one of the warmest periods of the past 4,000 years, as suggested by the recent upward movement of the tree line. In moisture availability, the shift was from moderate effective drought, as evidenced by the records of tree rings and lake levels, to the relative wetness of the present century—a century that appears, from the records of lake levels, **to the fourth-wettest of the past 4,000 years (Stine 1990) and that includes the third-wettest fifty-year interval (1937-1986) of the past millennium** (Graumlich 1993)" (Stine in SNEP 1996, emphasis added).

In fact, juniper had reached its maximal extent during the Neoglacial period (4000 to 2000 ago), which was followed by a 400 year drought period during which sagebrush and other desert scrub communities expanded (Kinney 1996). Western juniper has expanded and contracted corresponding to periods of high moisture and drought (ibid). The present expansion is a natural response to higher moisture levels. The role of livestock and fire suppression as contributing to the further expansion of juniper cannot be discounted, but it is hard to imagine that those factors fully offset the losses of juniper from the widespread removal of the species for agricultural clearing, for "range improvement," as well as for firewood and for charcoal to fuel mining smelters.

Juniper was systematically eradicated from its historical range beginning about 1860. The forests were cleared to be burned as charcoal to fuel the mining smelters and to clear the land for livestock grazing. Later, rail dragging, burning, bulldozing, and mechanical "chaining" uprooted millions of hectares of juniper woodland and sagebrush in order to "improve" range—in other words, to make room for more grass and livestock. Cumulative impacts to the region were compounded by the policy of spraying millions of acres of

sagebrush with phenoxy-based herbicides (2,4-D & 2,4,5-T) during the 1940's through the 1960's and seeding with non-native pasture grasses (USDA 1965). Some of these activities are ongoing. The cumulative impacts to native plant communities and rare plants and animals from these catastrophic disturbances must be analyzed in the EIS in light of this latest proposal to further reduce native juniper forests.

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The current loss of biodiversity and threats to sagebrush obligate species like the sage grouse are the result of catastrophic disturbances from human impacts to the sagebrush steppe biome and are not the result of juniper expansion. Sagebrush, the sage grouse, and juniper expanded and contracted their populations over many thousands of years in the region and are well adapted to these shifts. The EIS must accurately document and discuss the impacts of catastrophic historical and on-going activities which took place over the last 150 years that have resulted in declining populations of sage grouse.

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From 1870 through the early 1900s, the numbers of cattle, sheep, and horses were estimated at 26 million cattle and 20 million sheep, causing "major changes in plant community composition and structure in less than 10 to 15 years." (Miller and Eddleman 2000). The invasion of degraded lands by non-native plants like downy brome (*Bromus tectorum*, also known as cheat grass) and tumbleweeds have altered the natural fire return interval from infrequent (50 to 200 years) to a frequent (five years) regime (Mack 1981). Thus, the current loss of biodiversity and threats to sagebrush obligate species like the sage grouse are the result of catastrophic disturbances from human impacts to the sagebrush steppe biome and are not the result of juniper expansion. In fact, the current expansion of the juniper range should be thought of as a resumption of a natural expansion after a human-caused interruption lasting approximately 150 years.

The EIS must take a "hard look" at the historical conditions of the sagebrush steppe biome and must reach back to at the paleoecological record and to the pre-1850 landscape to determine benchmark juniper distribution. The DEIS and RMP misstates and omits factual information of the ecological conditions in the project area and must be corrected. The EIS must provide a factually correct history and description of base line conditions and a correct assessment of the reasons for the expansion of juniper. Juniper had already been eradicated from large areas by 1887.

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The statement that the present range expansion is largely due to fire suppression is hypothetical and is not borne out by the known facts. The EIS must note and disclose that there is a difference of opinion among scientists as to the reason for juniper expansion.

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Sagebrush steppe ecosystems are adapted to long fire return intervals: "[p]resettlement fires are thought to have occurred every 100 to 200 years in low sagebrush community types (Young and Evans 1981, Miller and Rose 1999 in Miller and Eddleman 2000) and 50 to 100 years in the more arid sagebrush steppe types (Wright and Bailey in Miller and Eddleman 2000).

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We also take note that Table 3.19-5 lists 21 terrestrial wildlife species of special concern, and all but four are dependent upon juniper woodlands. It is inconceivable that the DEIS

fails to accurately assess the impacts to juniper-dependent or associated wildlife from the proposed eradication activities. The EIS must disclose the impacts of the project on the viability of other wildlife species associated with juniper woodlands. These include but may not be limited to:

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> Juniper titmouse, pinyon mouse, mule deer, pronghorn antelope, pinyon jay, bushy-tailed woodrat, bushtit, ferruginous hawk, ash-throated flycatcher, phainopepla, Scott's oriole, calliope hummingbird, Lewis' woodpecker, black-throated gray warbler, Townsend's solitaire, gray vireo, chipping sparrow, gray flycatcher, rufous-crowned sparrow, plumbeous vireo, western bluebird, mountain bluebird, Virginia's warbler, mountain quail, Clark's nutcracker, cedar waxwing, mountain chickadee, and black-billed magpie.

Maser and Gashwiler (1978) found that 17 birds use juniper berries in winter. Juniper foliage is also consumed by several mammals (Maser and Gashwiler 1978) and are an important food source for some of these animals, "especially during harsh winters" (Mayer and Laudenslayer 1988).

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The importance of older, mature, or old-growth juniper to cavity nesting birds and as reliable sources of berries for neotropical migratory birds and other wildlife must be discussed and protective measures must be included to avoid impacts to natural stands of older juniper. Junipers can be very old and still have small diameter trunks. Other means of identification must be identified, such as the presence of lichens and characteristic growth form. This issue must be addressed in the EIS and a mitigation measures must be included to ensure that no old junipers (100 years +) are removed. Tree diameter limits must be included in the EIS. Western juniper may reach up to 1,000 years of age.

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Included among juniper removal activities in the DEIS are proposals to promote "biomass" uses for western juniper. Since no viable biomass industries currently exist in the region, the BLM is in danger of trying to promote an industry that will become reliant upon a natural resource, about which there is significant scientific controversy. Juniper may be an important element in carbon sequestration during the current period of global warming. The shade provided by juniper is also a factor in halting the spread of invasive annual weeds and in helping to create cooler microclimates. Further, researchers have shown that there is no scientific basis for assertions that juniper reduces water availability

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in arid environments, or increases erosion. See, for example, Lanner (1993); Schmidt (1987); Gifford (1987; and Belsky (1996). This controversy must be fully analyzed in the EIS.

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In summary, we believe that the EIS and RMP must reduce livestock numbers in all alternatives, must halt the seeding of public lands with non-native grass seed, and must remove proposals to eliminate native western juniper. Failure to implement these changes will surely result in further erosion of the ecological integrity of native plant communities and landscapes on the publicly owned lands of the Surprise Field Office.

Thank you for the opportunity to comment on the proposed project. Please continue to keep me informed about the project as you proceed with the analysis. If you have any questions, feel free to call me at (530) 622-8718.

Sincerely,

s/*Vivian Parker*

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Susanville, CA
May 5, 2006

To: Planning Coordinator
Bureau Of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

From: Bill Phillips

Subject: Comment RMPs all Field Offices

Here are some additions and modifications for your consideration for the Glossary of all three RMPs. I only read one and I am assuming that the other two are the same.

I may make comments for the other sections of the RMPs.

If you have questions about the comments I have made on the Glossary my phone number is 257-6700 and my FAX is 530-257-3020.

Bill Phillips

Bill Phillips

GLOSSERY

Here are some additions and modifications suggested for the glossary.

Appropriate Management Level [AML]

28-1 **ADD: This however, is expressed as a range with a minimum and a maximum number of animals that are to be on the [HMA] on December, 31 of any given year. This tells those with a special interest in these animals that there will never be less than this number of animals on the [HMA] at any given time. Also it insures other resource interests that there will never be more than the maximum number of animals on the [HMA] on January 1 of any given year. The objective is to manage within the [AML] range.**

Band [of horses]

28-2 **ADD: Young stallions that have been expelled from the family units, old stallions and stallions not strong enough to defend a group of mares form a more or less cohesive unit known as a bachelor band. Often old stallions that have lost their mares to a younger stronger stallion stay alone until they die of old age.**

Brush-Beating

28-3 **CHANGE: The use of one of several types of flails designed to shred brush to eliminate brush competition to allow understory to plants to grow with more vigor. There other tools used to knock over brush species for the same purpose.**

Climax Condition

28-4 **QUESTION: Does this definition allow for the changes that naturally take place in the vegetation complex in the sagebrush-steppe as it changes over time with fire, insect damage and other factors?**

28-5 **Great Basin**

CHANGE: In the Great Basin all surface waters drain inward to terminal lakes or sinks, none flows to the oceans.

Herd

28-6 **ADD: One or more stallions and his mares and associated bachelor bands.**

Home Range

28-7 **ADD: Also applies to territories used by bands of wild horses or burros. An [HMA] may include home ranges for a number of different bands. Home ranges may overlap within an [HMA].**

Intensive Grazing Management

28-8 **CHANGE: Grazing management that uses grazing as a tool to meet some objective or objectives. This generally will use rest or rotational practices. The objective could be to restore plant composition, increase forage production, increase animal production etc. It generally will be done with additional investment in labor, capital and other resources.**

Range Drill

28-9 **CHANGE: Rangeland Drill**

A seeding drill that is constructed of materials that are strong enough and heavy enough to be pulled over rough rangeland. This is as opposed to a farm drill used to seed farm land.

If there are any questions please contact me.

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RE: Resource Management Plans Comments

The Bureau of Land Management (BLM) officially began the planning process in July 2003 to prepare Resource Management Plans (RMPs) and an Environmental Impact Statement (EIS) covering lands managed from the Eagle Lake, Alturas and Surprise field offices. Lassen County has participated in this process as a cooperating agency and at the invitation of BLM has invested considerable time in attending meetings and workshops. The County has provided BLM information, recommendations and relevant County policy based on the *Lassen County General Plan – 2000* and other public land and resource policy positions expressed by the Board of Supervisors that is pertinent to the development of the RMPs. Lassen County's involvement in this process has been to assist and coordinate with the BLM to develop RMPs that would be consistent with County policy and address issues in a manner that would be useable and understandable.

These comments pertain, as applicable, to each of the three RMPs. The RMPs are very lengthy and include considerable detail and information that required a great deal of effort from BLM personnel to compile and generate for public availability. Due to the length and awkward format typical of RMPs, a great deal of effort is also required of the County to review and comment.

The Resource Management Plans refer to "coordination and consistency with other plans" in Chapter 1.9 and recognizes the help provided by cooperating agencies to make the planning decisions compatible as required by the Federal Land Policy and Management Act Section 202 (c)(9). Although the RMPs contain a range of alternatives and a preferred alternative that in many instances reflect consistency with the Lassen County General Plan, these comments identify a number of places in the RMP that contain language that is unclear, inconsistent and open to misinterpretation. The RMPs do not incorporate justification for decisions recommended that appear to be incompatible or inconsistent with the County. These draft RMPs reflect differences and inconsistency between the Eagle Lake, Surprise and Alturas field offices. It is also noted that coordination with other field offices (i.e., Carson City) has not occurred.

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Travel Management: Non-Motorized

The Preferred Alternatives proposed by the Alturas and Eagle Lake Field Offices for non-motorized travel and future route development are consistent with and carries out Lassen County General Plan Goals, Policies, and Implementation Measures contained within the following:

Natural Resources Element

- Chapter 9 – Recreation Resources

Open Space Element

- Chapter 4 – Open Space for Outdoor Recreation

Circulation Element

- Chapters 4 and 5 – Railroads and Alternative Transportation and Public Trails

The proposed 277 miles of new trails, such as linking existing trails with a Honey Lake Valley Rim Trail proposed by the Eagle Lake Draft RMP and the 25.5 miles of new trails proposed by the Alturas Draft RMP, will provide an expanded range of recreation opportunities, improved access to outdoor recreation resources and will promote the discovery of resource diversity on public lands within Lassen County. Recreation and tourism components of the local economy will benefit from the enhancement and expansion of trails in Lassen County as contained in the RMPs.

Interpretation of natural, historic and cultural resources should be a critical component of new trail development and would enhance existing trails.

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The Surprise Valley Draft RMP does not propose any specific new non-motorized trails and/or illustrate existing non-motorized trails. A RMP is an opportunity to analyze the inventory of existing trails and plan for potential new trails; as such, the Surprise Valley RMP should model the Recreation and Visitor Services and Travel Management sections of the Alturas and Eagle Lake Field Offices' Draft RMPs.

Travel Management – off-road vehicle use
(Recreation Opportunity Spectrum Chapter 2.10 and Travel Management Chapter 2.16)

The Eagle Lake RMP changes current BLM management as referenced on page 2-79:

> "…vehicle travel is allowed outside of designated routes only when authorized by permit, in support of consumptive use (wood cutting, grazing and flat rock collection)."

29-5

Vehicle travel management provisions for off-road vehicle use is requested to be amended in all three RMPs to be consistent with the Alturas RMP (page 2-105) to allow for motorized retrieval of harvested big game when authorized by a state permitted tag as well as other permitted activities.

Supportive General Plan policies:

> "WE12 POLICY: The County supports the management of wildlife game species for continued recreational and consumptive use as a matter of economic significance and with respect to hunting activity as a feature of local cultural heritage.
>
> WE13 POLICY: The County supports enhanced public access to wildlife resources for hunting and fishing, as well as for recreational and scientific wildlife observation, while respecting private property rights."

Inter-basin transfer of water (Chapter 2.23.5)

The RMPs contain the following "Management Common to All Alternatives" that is requested to be amended as underscored:

29-6

- Projects that involve inter-basin transfer of water would be coordinated and consistent with the local water resource policies and plans of local and regional governments.

This amendment is necessary to comply with Lassen County General Plan:

> "NR17 POLICY: The County supports measures to protect and insure the integrity of water supplies and is opposed to proposals for the exportation of ground water and surface waters from ground water basins and aquifers located in Lassen County (in whole or part) to areas outside those basins.
>
> NR18 POLICY: The county may adopt specific resource policies and development restrictions to protect specified water resources (e.g., Eagle Lake, Honey Lake, special recharge areas, etc.) to support the protection of those resources from development or other damage which may diminish or destroy their resource value.

> NR19 POLICY: The County supports control of water resources at the local level, including the formation of local ground water management districts to appropriately manage and protect the long-term viability of ground water resources in the interest of County residents and the County's resources."

Wildlife and Fishery (Chapter 2)

29-7

The RMP does a good job on habitat restoration, enhancement and maintenance, but does not adequately address migration corridor locations or protective measures. Public lands include substantial acreages of important habitats and provide connecting corridors between summer and winter ranges, fawning habitat, etc. There should be extensive coordination and information sharing among the four Area offices (Surprise Valley, Eagle Lake, Alturas and Carson City), California Department of Fish and Game and the Nevada Department of Wildlife regarding migration and corridor protection that should be included in the RMPs.

A related Lassen County General Plan policy is WE-9:

> "The County supports cooperation between the California Department of Fish and Game and the Nevada Department of Wildlife in the management of interstate deer herds."

29-8

There is also a recommendation on page 4-64 of the Eagle Lake Field Office RMP that would dispose of BLM lands on Bald Mountain. Such a disposal for "community expansion or economic development" would be inconsistent with the Wildlife Element of the Lassen County General Plan due to very high deer winter range habitat values.

Wild and Scenic Rivers (Chapter 2)

The Eagle Lake Field Office RMP identifies portions of the Susan River, Willow Creek and Upper and Lower Smoke Creek as being eligible for designation as wild and scenic. The Preferred Alternative (2.14.10) would designate the Upper Smoke Creek into the Wild and Scenic Rivers system. The draft RMP does not recommend the Susan River or Willow Creek for inclusion.

29-9

The Alturas Field Office recommends the Upper Pit River Canyon and Lower Horse Creek for designation as wild and scenic rivers with a classification of 'wild' and are located within a WSA (Wilderness Study Area). The County and BLM will need to confirm and agree to the boundaries of the WSA and wild and scenic rivers designation. The County will also need assurance that these designations will not preclude potential development of off-stream impoundments and reservoir sites on the Pit River such as the proposed Allen Camp Dam project.

The RMP preferred alternatives as they pertain to the Susan River, Willow Creek and the Pit River are consistent with the Lassen County General Plan if the RMPs include provision for the following policies:

> "GOAL N-5: The development of new, well-planned reservoirs and other facilities and projects for water supply and/or flood control purposes which will benefit related resources and provide opportunities for multiple public benefits.
>
> NR22 POLICY: Plans for reservoirs, flood control facilities and other water supply and flood control programs and projects shall regard the related impacts and cost-benefit relationships to other resource values and land uses which may be affected, and shall consider opportunities and design elements to achieve multiple public benefits including recreation and enhancement of wildlife and fishery resources.
>
> NR24 POLICY: The County encourages feasibility studies, planning projects and, when appropriate, the development of new, well-planned reservoirs, flood channels and other facilities and programs which can serve to control flooding and help reduce flood-related damage."

The water resources *Background* section of the General Plan states that:

> "As early as the 1940's and continuing to recent times, studies have been conducted for placement of dams along the Susan River, Pit River, Paiute Creek and Willow Creek. The prospect for development of additional surface water supplies in Lassen County are limited due to a lack of surplus water and the cost of its development. Nevertheless, development of new dams and reservoirs has the potential to provide resources for a number of uses including irrigation, flood control and recreation."

Energy Transmission Corridors
Visual Resource Management page 2-163 et. seq., and Energy and Minerals page 2-16 et. seq.

The RMPs refer to energy related projects with regard to required analysis of visual impacts to be addressed in future EISs prior to development.

The County generally supports the use of existing highways and railways (including abandoned) to be included as transmission corridors.

The County also supports efforts that are addressing the needs to plan for and site energy corridors for transmission and generation in the western United States that may need to be accommodated on public lands within the RMPs.

29-10 ↓

The RMPs should also be updated in light of the National Energy Act proposed Trans-Sierra Route alternatives and recognize that such energy transmission corridors and related facilities

29-10

siting be coordinated and consistent with the U.S. Department of Energy together with policies and programs of Lassen County and the Lassen Municipal Utility District.

Livestock Grazing (Chapter 2)

29-11

ISSUE #1 Grazing (or no-grazing) of "unhealthy", "at-risk", and "sites found healthy but lacking a key attribute". The rewording on the errata sheet helps but there is still some confusion.

As currently written:
Page ES-7, see second bullet under Vegetation

- Grazing areas with….ecological sites rated as "unhealthy" would be closed until restoration is complete…..

Page 2-146, 4th bullet from top.

- Scientifically determine the causes for at-risk areas, unhealthy areas, and areas found to be healthy but lacking key attributes. Following this determination, restore 330,376 acres of vegetation known to be healthy but lacking key attributes and 271,683 acres of at risk vegetation….. Close these areas to grazing until restoration is complete, or at least until the site as made significant recovery and carefully managed limited grazing would not interfere with complete recovery.

Comment:
These bullet points can be interpreted to mean that the approx. 700,000 acres of rangeland would be immediately closed to grazing until restored. If this is in fact what is intended, we would strongly disagree with this policy. In many instances, such as sites dominated by annual grasses or juniper, the range condition will not be effectively remedied by removal of grazing. In fact, it is recognized in the RMP on page 4-251 that conversion of plant communities to annual grasses may not be reversible on many sites. Such a closure is also inconsistent with the preferred alternative in the livestock grazing section page 2-55.

If the grazing closure is intended to refer only to site-specific areas where there are active restoration projects, such as sites where invasive species are being controlled and desirable species re-seeded, or perhaps in certain fire rehabilitation sites, we would be more accepting of the policy. If this is the case, these bullet points should be re-written to more clearly describe the intent.

Request:
The grazing closures on the previously referenced range health classifications needs to be clarified and re-written such that it is clear in scope and intent and cannot be misapplied over vast areas of rangeland.

Lassen County General Plan Policy

> "AG17 POLICY: The County supports grazing practices on private lands and lands managed by state and Federal agencies which support the long-term health and sustainability of rangeland resources.
>
> AG18 POLICY: The County supports cooperative efforts between private sector interests and public agencies that incorporate economic viability while addressing environmental resource concerns such as the Eagle Lake / Pine Creek CRMP.
>
> AG19 POLICY: The County advocates grazing policies on Federal and state lands which support the economic viability of related private livestock operations while maintaining the long-term productivity of rangeland ecosystems. Proposed changes in resource management policies regarding rangeland and use need to consider and mitigate potential economic, social and cultural impacts to Lassen County citizens and communities, and impacts to related private lands in Lassen County."

ISSUE #2 Rest from browsing for shrub species to promote viable seed production.

As currently written:

Page ES-7 second bullet under Vegetation.

- ….Selected shrub sites would be rested from livestock grazing every 2 years to promote viable seed production.

Page 2-146, 7th bullet from top.

- Provide rest from grazing two out of every three grazing seasons for shrub species where rest is needed for optimum viable seed production especially on bitter brush, service berry and mountain mahogany sites.

Page 2-226 in table

- Provide two years rest from livestock grazing on selected shrub sites…

Comment:

29-12
29-13
29-14
29-15

First, the wording in these points is inconsistent as to the frequency of the desired rest, and needs to be clarified. Second, what constitutes *selected* shrub sites (as written in the bullet on pages ES-7 and 2-226)? That wording seems very wide-open especially relating to bitterbrush which is extremely widespread. Third, it should be determined at a site specific scale whether in fact a perceived lack of seed production is having any impact on shrub recruitment or cover, and if so, whether livestock browsing (rather than plant community competition or age of the stand) is the cause of such a loss in production. Lastly, are grazing strategies such as deferment, rotation, season of use, etc considered to be sources of "rest" under this policy? Or does the Bureau mean complete livestock exclusion at these sites? Some people might interpret "rest" to equate to no

29-15

livestock grazing on the site at all. Fencing may serve well for isolated shrub populations, but on a larger scale we believe minimal use of browse can usually be accomplished through grazing management strategies.

Although there may be specific sites staff has in mind, from what is written it is unclear as to where, when, how, and why the BLM would intend to implement this policy.

29-12 through 29-15

Request:
This language needs to be revised to be consistent through-out the document, and clarified under what conditions (when, where and how) shrubs would be rested from grazing. These conditions must reflect range site and plant community characteristics and need to recognize grazing rotations and management strategies as acceptable means of rest rather than complete exclusion of livestock.

Lassen County General Plan Policy
(See grazing policies above)

ISSUE # 3 Juniper management and control
Lassen County supports aggressive and effective control of western juniper control on BLM lands. For too long inaction has ruled the day as more and more productive rangelands are invaded by juniper reducing resource values for livestock, wildlife and watersheds. Since juniper invasion has, and continues to, occur at a huge scale and has so much impact on BLM lands and resources, there should be a very clear management direction in the RMP. In fact, the RMP does make a good case for aggressive juniper treatment on pages 3-79 and 4-234; however, there are some apparent inconsistencies as to how much juniper is present on the resource area or is intended for treatment.

29-16

Page 2-146 says that 31,062 acres of juniper woodlands are located on lands managed by the Eagle Lake Field Office. However, on page 3-167, Table 3.20-7 rates 97,226 acres as X3 habitat which is defined as sagebrush rangelands that have crossed an ecological threshold and have become juniper woodlands. That table identifies another 4,251 acres as R3 which is invaded by juniper and on the verge of crossing the ecological threshold from rangelands to woodlands. This obviously adds up to a far higher figure than the 31,062 acres above.

29-17

In several places (pages 4-207, 4-346, and 4-348) the RMP targets 15,000 to 20,000 acres of land where juniper will be reduced (by the way, on rangeland sites, juniper should be *removed* not *reduced*). Our concern is this target might be far too low.

We strongly support the first sentence of 5th bullet from the bottom on page 2-146 that says:

- On all other sites, pursue active abatement on invasive juniper.

29-17
29-18

That sentence reflects a very simple, effective, and appropriate policy. If the BLM does need quantitative targets in the RMP, the figures above should be reconciled such that all juniper that is invading into sagebrush or other rangeland sites can be treated. Also, we do not believe that arbitrary acreage limits be placed on the means of juniper removal whether it be fire, mechanical or chemical.

29-19

Lastly, even on the soils listed as suitable for juniper woodlands, negative impacts from juniper dominance do still occur and thus while it may not be desirable to remove all juniper from these sites, active management and thinning should still be implemented. In Table 2.17-4 it is shown that a strong influence on understory vegetation begins to occur at 15% juniper canopy cover, and "sparse or absent" understory at 25% juniper cover. The time for thinning is prior to the loss of understory (less than 20% cover), not after it reaches the 35% threshold the BLM defines as "unhealthy".

Request:

29-17
29-18
29-19

A simple straight-forward policy that clearly demonstrates an active and aggressive approach to controlling juniper invasion and does not included unnecessary limits on juniper removal needs to be articulated. Juniper should be actively removed on rangeland sites and properly thinned and managed on woodland sites.

29-17 &
29-19

Given the large acreage that needs to be treated we request that the BLM use the most cost effective means of juniper control so that the number of acres treated can be maximized. New invasions of juniper where trees are still small and the shrub and herbaceous plant community is still intact should be high priority for treatment.

Lassen County General Plan Policy

> "AG24 POLICY: The County supports strong measures to eliminate or prevent the spread of invasive weeds and plant species including, but not limited to, medusahead, yellow starthistle, and perennial pepperweed (whitetop), and to control the adverse effects from the excessive spreading of such species as juniper and cheatgrass.
>
> NR29 POLICY: Reads the same as AG24."

29-20

ISSUE # 4 ACEC (Areas of Critical Environmental Concern) - Eagle Lake Basin

There is some clarification needed with the language regarding ACEC in the Eagle Lake Basin.

As currently written:

On page 2-94, section 2.12.10 states that the Preferred Alternative is Identical to Alternative 2. However, we find some important differences.

In Table 2.12-1 on pages 2-96 and 2-97 there are important differences in grazing allowed in the Eagle Lake basin ACEC between Alternative 2 and the Preferred. Under the preferred alternative the shorelines are closed to grazing with the "Uplands Open with Restrictions". Under Alternative 2 the "Uplands are open once every 3 years".

Comment:

29-20 As there are clear difference between the Alternatives, section 2.12.10 on page 2-94 appears to be incorrect and needs to be dropped or corrected.

Regarding Table 2.12-1, Page 2-97, Eagle Lake Basin, Preferred Alternative, what specifically are the grazing restrictions in the uplands? If these restrictions are typical of all BLM grazing allotments, maybe the words "with restrictions" can be dropped as in other parts of the table. After all, there are grazing restrictions on all BLM allotments which makes this wording redundant. If these restrictions in the uplands are intended to be above and beyond the current grazing program they need to be clarified and justified in the RMP.

Lake shore grazing has been generally eliminated on BLM lands except for a few small isolated parcels which are not fenced and not actively managed by the BLM. The grazing management within the basin was developed through the Eagle Lake CRMP (Coordinated Resource Management Plan) process and has worked well. The current grazing management should be recognized and identified as the preferred alternative.

Request:

The upland grazing management described in the table for Alternative 2 is unacceptable and thus the confusion of equating Alternative 2 and the Preferred Alternative on page 2-94 needs to be corrected or deleted. The RMP should recognize grazing management in the ACEC simply as a continuation of the current management already in place. Additional grazing restrictions are redundant and/or unnecessary.

Lassen County General Plan Policy

> "AG18 POLICY: The County supports cooperative efforts between private sector interests and public agencies that incorporate economic viability while addressing environmental resource concerns such as the Eagle Lake / Pine Creek CRMP."

ISSUE # 5 Wild Horse AML

Comment:

29-21 We support active management of wild horses and burro populations. When horse and burro gathers are organized, we urge the Bureau to bring populations down to the *low end* of the AML (Appropriate Management Level) range. Thus as the population builds in succeeding years, it will still (hopefully) fall within the AML range rather than exceeding it.

Lassen County General Plan Policy

"AG23 POLICY: The County encourages strategy plans and strong measures to manage feral horses and burros on public and private rangelands and to minimize related damage to livestock and wildlife forage and water resources.

NR45 POLICY: Reads the same as AG23."

ISSUE # 6 Water Quality

As currently written:
The second and third bullets under the preferred alternative on page 2-178 read as follows:

- Continue to allow public uses along streams and around other water bodies if state standards are either attained or improved at the same or greater rate than with out the activity.
- For streams with water-quality limited segments allow uses and activities in the watershed only if they do not impede restoring water quality to state standards.

29-22

Comment:

- As written these sentences could preclude almost any activity in the watershed if it were perceived to be an impediment to achieving state standards, *no matter how small the impact might be.* The current language is completely open to interpretation and could at some point be misapplied by individuals or groups who do not support multiple use land management.
- In the top paragraph on page 2-173, it is stated that waters within the BLM resource area generally don't meet state water quality standards, which are then described as 'unrealistic'. Therefore, almost any stream on BLM land could be expected to have a water quality limited segment, even if that assessment is based on unrealistic expectations. Such standards are not likely to be met regardless of activities in the watershed, and should not be the basis on whether certain activities will be allowed. Frankly, we don't recall an instance when the regional board staff has taken such a literal, black and white interpretation of state water quality standards as is written in these bullet points.
- It would seem that the first bullet point in the preferred alternative, and the management actions common to all alternatives, adequately cover the necessary management actions to maintain water resources and state compliance.

Request:
Delete the second and third bullet points in the list of management actions on page 2-178 and any where else they may occur or be referenced in the document.

29-22

The following sentence could be used as a replacement:

> "If monitoring data indicates that state water quality standards are not being attained on certain streams or stream segments, and uses and activities on BLM lands are contributing to the water quality impairment, appropriate BMP's will be implemented to mitigate the impacts of such activities."

Lassen County General Plan Policy

> "NR14 POLICY: The County supports efforts by state and Federal agencies, including the California Department of Water Resources, to monitor the quantity and quality of the County water supplies and to protect the water resources of the County when such efforts are demonstrated to be based on sound, scientific assessment of potentially adverse impacts to those resources."

In conclusion, Lassen County appreciates the opportunity to participate as a cooperating agency through the process of scoping, preparing and reviewing the Resource Management Plans. The County recognizes the importance of these comprehensive plans that will guide the management of lands managed by the BLM in Lassen County for perhaps the next 20 years.

Lassen County also acknowledges the importance of continuing a collaborative effort with BLM to assure that the RMPs that are ultimately adopted are consistent and compatible with the plans and policies of the County. These plans, to be effective for the future, need to be well understood by those currently involved with its preparation so that matters of intent are not left open to misinterpretation. We request that BLM advise the County of any changes in these plans and that the County be given opportunity to review and comment on the proposed final draft RMPs prior to publication of the Record of Decision. Toward that objective, the Board of Supervisors requests that these comments be considered and that the BLM field offices continue to work together with the County in this effort.

Sincerely,

Robert Pyle, Chairman
Lassen County Board of Supervisors

RP:RKS:nes

420.32.01/BdResponseRMP7-06

SAGEBRUSH SEA CAMPAIGN
2224 W. PALOMINO DRIVE
CHANDLER, ARIZONA 85224
WWW.SAGEBRUSHSEA.ORG

Sent via e-mail and U.S. Postal Service

July 27, 2006

Alturas Resource Management Plan Comments
Attn: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130
necarmp@ca.blm.gov

Dear Planning Coordinator:

I am writing on behalf of the Sagebrush Sea Campaign to submit comments on the Alturas Field Office draft Resource Management Plan and Environmental Impact Statement (draft RMP). The Sagebrush Sea Campaign is a regional conservation organization that focuses public attention and conservation resources on protecting and restoring the vast sagebrush-steppe landscape. The Campaign participates in public planning processes, advocates for natural resource protection, and uses education, research, legislation and litigation to conserve and restore the Sagebrush Sea for present and future generations.

30-1 We urge the Bureau of Land Management (BLM) to select Alternative 2, "Ecosystem Restoration and Protection," in the final Alturas Field Office RMP/EIS/ROD. The ecosystem restoration alternative offers the best hope for conserving and restoring public lands that have suffered more than 150 years of resource extraction (that continues on the landscape today), and now must accommodate new uses and factors as varied and significant as increased recreation, invasive species, and climate change. The following comments and enclosures address proposed management of livestock grazing, greater sage-grouse (*Centrocercus urophasianus*) and western juniper (*Juniperus occidentalis* var. *occidentalis*) in the preferred alterative in the draft RMP.

Livestock Grazing Management

30-2 All alternatives in the draft RMP would continue livestock grazing on nearly all of the planning area. Grazing closures recommended in the preferred alternative are minimal. Even under current law, the BLM can and should close additional areas to livestock grazing. Significant research (also alluded to throughout the draft RMP) indicates that removing livestock from public lands would improve riparian areas, upland habitats, soil health, and water quality and quantity; increase fish and wildlife populations; protect sensitive species; and contribute to the success of

30-3 weed and juniper control programs. We recommend that the draft RMP include a grazing allotment management decision matrix for the planning area similar to that recently adopted by

↓

30-3 the BLM Prineville District in Oregon for the Upper Deschutes Resource Area to provide for the retirement of public land grazing allotments in areas of high ecological value and low demand for grazing. Please see the enclosed summary of the Upper Deschutes Resource Area grazing decision matrix and attachments.

Specific comments regarding grazing management in the draft RMP:

30-4 • We oppose making "additional AUMs available [to domestic livestock] as vegetation treatments are accelerated under the juniper management plan." The recovery of native shrubs, grasses and forbs is key to restoring sites where western juniper is treated with fire or mechanical methods. Any additional vegetation that results from such treatments is needed to help stabilize soil, produce native seed, and defend the site against invasive species.

30-5 • We generally oppose the creation of grassbanks or "forage reserves" for grazing permittees, particularly in areas where grazing is already a dominant use of the landscape. Grassbanks are a poor use of taxpayer money and encourage and perpetuate poor grazing practices. *See* NPLGC, "Publicly Owned Grassbanks: Just Another Bailout" (factsheet), www.publiclandsranching.org/htmlres/fs_grassbanks_no_good.htm *and* NPLGC, "A Rational Alternative to Public Lands Grassbanks: Private Land Forage Cooperatives" (factsheet), www.publiclandsranching.org/htmlres/fs_private_forage_reserves.htm.

30-6 • Why is cheatgrass (*Bromus tectorum*) not included on the list and map of noxious weeds?

30-7 • The following statement in the draft RMP is misleading: "the persistence of exotic annual grasses (primarily medusa-head and cheatgrass) is expected to continue, regardless of whether livestock grazing occurs." The scientific literature is clear that livestock grazing exacerbates the spread of weeds (A. J. Belsky and J. L. Gelbard. 2000. Livestock grazing and weed invasions in the arid West. Oregon Natural Desert Association. Bend, OR.), so it follows that exotic annual grasses will likely never be controlled as long as grazing continues, while methods may be developed to control these invaders if livestock were removed from the landscape. *See* J. E. Anderson and R. S. Inouye. 2001. Landscape-scale changes in plant species abundance and biodiversity of a sagebrush steppe over 45 years. Ecol. Monographs 71: 531 (documenting recovery of native vegetation on a large non-grazed tract of land, and refuting state-and-transition model opinions that shrub-dominated high desert habitats are stable over the long-term and would not recover following removal of livestock, and instead finding that perennial grasses increased significantly over a 45-year period and that adequate native species cover can make semiarid vegetative communities more resistant to exotic species invasion).

30-8 • "The experience of BLM technical staff indicates that annuals will persist, but that it is possible to slow or reduce their spread by applying intensive grazing management techniques in the surrounding areas." What are "intensive grazing management techniques"?

Recovery of Greater Sage-grouse

The rangewide distribution of greater sage-grouse has declined by at least 44 percent while overall abundance has decreased by up to 93 percent from presumed historic levels. These decreases are the result of habitat loss, fragmentation, and degradation. Federal and state public land management agencies currently are responsible for about 70 percent of the remaining sagebrush (*Artemisia* spp.) steppe, with the Bureau of Land Management and U.S. Forest Service managing most of these lands for multiple uses. Greater sage-grouse will probably be listed as "threatened" or "endangered" under the Endangered Species Act unless public lands management improves.

C. E. Braun, a noted sage-grouse expert and principal of Grouse, Inc., has recently developed a strategy for protecting and restoring sage-grouse populations in the West. The "Blueprint for Sage-grouse Conservation and Recovery" is based on the latest scientific research and addresses livestock grazing, conifer encroachment, prescribed and natural fire and invasive weeds, among other factors that affect sage-grouse in the planning area. The goals of the "Blueprint" are to improve sagebrush habitats to increase greater sage-grouse abundance rangewide by at least 33 percent by 2015, and overall distribution of greater sage-grouse by at least 20 percent by 2030. The abundance goal is achievable following recommendations presented in the document while the distribution goal will be more difficult to obtain without a concerted effort to restore sagebrush-steppe.

Federal land management agencies, and particularly the BLM, are key to achieving the abundance and distribution goals, as they are responsible for managing sagebrush habitat that supports most of the remaining populations of greater sage-grouse. However, implementing the 'Blueprint' will require the BLM to adopt new and stricter management prescriptions for livestock grazing and other public land uses than those presented in the draft RMP. The 'Blueprint' should also compliment sage-grouse conservation plans devised by local working groups or similar coalitions, except that stricter guidelines (usually contained in the 'Blueprint') should always be used where management recommendations differ between the Blueprint and a local conservation plan. A copy of the 'Blueprint' is enclosed as comments on the draft RMP. The draft RMP must also heed recommendations contained in the BLM's Greater Sage-Grouse and Sagebrush-Steppe Ecosystems Management Guidelines that includes various recommendations for sage-grouse habitat management.

30-9

30-10

- We could not find in the draft RMP where BLM has mandated seasonal protective buffers around greater sage-grouse leks and key nesting habitat, as is usually prescribed in other BLM RMPs. Management buffers are key to protecting sage grouse during critical parts of the year (i.e., lekking, nesting, brood-rearing). *See* Braun, 'Blueprint.'

30-11

Western Juniper Management

Since 1870, concurrent with the introduction of domestic livestock and the resultant exclusion of periodic fire, the occurrence of western juniper in the sagebrush steppe has increased approximately ten-fold. Sagebrush habitat is being converted to western juniper woodland at a geometric rate. Western juniper is also invading and replacing quaking aspen (*Populus*

tremuloides) stands. Action is needed to reverse these trends and restore sagebrush steppe and quaking aspen stands in an integrated ecosystem maintained by periodic fire. Western juniper control must spare all old-growth western juniper trees. Restoration planning and implementation must carefully consider the effects of invasive non-native species—particularly medusa-head and cheatgrass—and livestock grazing on restored landscapes.

The Sagebrush Sea Campaign has produced a position paper presenting an ecologically based program for removing expansion western juniper from sagebrush steppe. A copy of "Managing Western Juniper to Restore Sagebrush Steppe and Quaking Aspen" is enclosed as comments on the draft RMP. Comparing the Campaign's 'Managing Juniper' report to the draft RMP (and also considering Braun's sage grouse 'Blueprint'), we note the following:

30-12
- Significant research indicates that historic and *current* livestock grazing – and not just "overgrazing" as often characterized in the draft RMP – contributes to conditions that favor juniper encroachment.

30-13
- Before western juniper treatments occur on public lands, it must be determined if the goal is ecosystem restoration *or* the production of forage for domestic livestock; only the former is ecologically sustainable.

30-14
- The solution to western juniper encroachment is the reintroduction of fire and the elimination of livestock grazing in sagebrush steppe.

30-15
- Fire (natural and prescribed) should be reintroduced only after livestock have been removed from an area for a sufficient period to allow for recovery of native vegetation and regeneration of soils.

30-16
- Fire, both natural and prescribed, should be used to control western juniper once the landscape is demonstrated to be capable of handling the disturbance. Where inadequate ground cover exists to carry a robust fire with of sufficient heat and height to ignite the larger trees, those trees should be individually ignited.
    - Prescribed fires should be small to avoid negative effects to greater sage-grouse.

30-17
- The use of mechanical methods to treat western juniper on public lands, including bulldozers, chainsaws, and chippers is destructive, aesthetically ugly and—most importantly—less effective over large tracts and fails to provide the many ecological benefits of fire. Fire is preferable to mechanical methods to control western juniper.

30-18
- Any western juniper treatment and subsequent management must consider the potential to exacerbate and take measures to minimize the spread of invasive, non-native species. In some cases, treatment of individual juniper trees is preferable to a large ground fire to prevent weed invasion onto a treatment site (such as cheatgrass).

30-19

- Commercial use of western juniper from public lands should not be allowed without assurances that such use will not exceed the supply of encroachment juniper that is targeted for removal from the landscape.

30-20

- All old growth western junipers must be protected. Only young western junipers established post-European invasion (less than 100-150 years old) should be removed, and not all of them.
    - We support the designation of areas of critical environmental concern to protect old-growth juniper.

30-21

- Burning is preferable to mechanical treatments to restore quaking aspen.

30-22

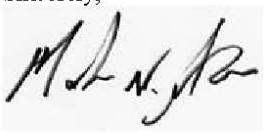
- Livestock grazing should be excluded from treated areas for up to ten years following juniper treatment, and perhaps longer, to ensure recovery of native vegetation and avoid the rapid introduction of invasive weeds onto the site.

30-23

The draft RMP identifies extensive areas in the planning area for juniper control. We understand that this draft RMP and others are informed by a regional western juniper management strategy for federal public lands in northeastern California. Western juniper encroachment is also a management issue in central and southeast Oregon, southeast Idaho, and northern Nevada, and other BLM offices are developing juniper management plans in those states. The Sagebrush Sea Campaign strongly recommends that the BLM develop a programmatic management plan and environmental impact statement (similar to the BLM's Draft Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States Programmatic EIS and Draft Vegetation Treatments on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Report) to help guide the development of all these plans, identify best management practices, and avoid duplication of effort.

Thank you for this opportunity to provide comments. These comments are also submitted to the Eagle Lake Field Office draft Draft Resource Management Plan and Environmental Impact Statement and Surprise Field Office Draft Resource Management Plan and Environmental Impact Statement, as applicable.

Sincerely,



Mark N. Salvo
Director

Encl. "The Grazing Decision "Matrix" in the BLM Upper Deschutes Resource Management Plan" (with attachments).

Braun, C. E. 2006. A blueprint for sage-grouse conservation and recovery. Unpublished report. Grouse, Inc. Tucson, AZ.

Sagebrush Sea Campaign. Managing western juniper to restore sagebrush steppe and quaking aspen (position paper) (draft 3.0). Sagebrush Sea Campaign. Chandler, AZ.

BLM. 2004. Proposed Upper Deschutes Resource Management Plan/Final Environmental Impact Statement. BLM, Prineville District, Deschutes Resource Area. (September 2004). Vol. I: 170.

Alternative 7 (Preferred Alternative)

Livestock Grazing

In this alternative the BLM would use a formula to estimate potential for conflict and demand to help identify where problems are likely to occur (for additional details of how this formula works see Common to 2-7 section in this chapter, and Chapter 4 livestock grazing assumptions). This formula is changed somewhat from alternatives 2-6; most notably, an ecological conflict factor is added, and allotments would not be placed in "closed" or Reserve Forage Allotment (RFA) status in most cases, unless the grazing permittee voluntarily relinquishes his or her permit. In this alternative, livestock grazing would be modified as directed in Table 2-27 when thresholds of conflict and demand are exceeded. Appendix G shows which allotments would be affected. When conflicts are below the thresholds described above, they would be solved (in all alternatives) on a case-by-case basis by modifying livestock grazing, recreational use, fences, roads, and/or other uses, activities or developments as needed to reduce conflicts.

Some allotments would be placed in RFA status. These allotments would not be allocated to a specific grazing operator. The BLM would allow temporary, non-renewable use to federal permit holders when there is a demonstrated need to rest the permittee's allotment. "Need" for rest would include but not be limited to the following reasons: Prior to prescribed fire or necessary fence construction, or during/after rehabilitation projects, wildland fire or prescribed fire, drought, flood, insect damage, or disease. Use would meet goals described for area in RMP and, if applicable, in AMP.

Grazing operators who have permits for allotments that fall into "IPR close," "IPR RFA," "IPR close or RFA," or "IPR open or RFA" status are under no obligation to relinquish their permits, and they are still able to transfer their permits to other qualified applicants.

Table 2-27 Grazing Matrix

		SOCIAL & ECOLOGICAL RATING								
		Low Ecological			Moderate Ecological			High Ecological		
		Low Social	Moderate Social	High Social	Low Social	Moderate Social	High Social	Low Social	Moderate Social	High Social
DEMAND RATING	Low Demand	IPR[1], Close or create RFA[2]	IPR, Close or create RFA	IPR, Close or create RFA	IPR, Close or create RFA	IPR, Close	IPR, Close	IPR, Close	Close[3]	Close
	Moderate Demand	Open	Open	IPR, create RFA	Open	IPR, Close or create RFA	IPR, Close	IPR, Close or create RFA	IPR, Close	IPR, Close
	High Demand	Open	Open	IPR, Open or create RFA	Open	IPR, Open or Create RFA	IPR, create RFA	IPR, Open or create RFA	IPR, create RFA	IPR, Close or create RFA

[1] IPR = if permit is relinquished
[2] RFA = Reserve Forage Allotment
[3] Close = Discontinue livestock grazing for the life of the plan. BLM would provide two years notice of cancellation unless waived by permittee.

The Grazing Decision "Matrix" in the BLM Upper Deschutes Resource Management Plan

The preferred alternative in the Proposed Upper Deschutes Resource Management Plan and Final Environmental Impact Statement published by the Bureau of Land Management, Prineville District offers a new, efficient and amelioratory method to manage livestock grazing on the Deschutes Resource Area in eastern Oregon. Rather than continue the current management scheme, whereby conflicts between livestock grazing and other uses of public (and adjacent private) land are resolved on a case-by-case basis (and often never resolved to anyone's satisfaction), the Upper Deschutes plan includes a new decision "matrix" to assist managers to decide whether current and potential grazing conflicts are so significant that livestock grazing might no longer be manageable under present conditions—and that there is a need to change conditions or discontinue grazing.

The matrix compares the value of a grazing allotment for livestock grazing to its ecological and social value for other uses (recreation, wildlife habitat, etc.), and measures the potential conflict that exists between grazing and the other uses (*see* **Grazing Matrix Table**). The value of an allotment for livestock grazing is assessed based on the demand among potential grazing permittees to use the allotment for grazing. If an allotment scores high for grazing on the decision matrix, and low for ecological and social uses, then the BLM will seek to continue livestock grazing on that allotment, resolving grazing conflicts on a case-by-case basis as necessary. However, if an allotment scores low for grazing use (i.e., low demand among grazing permittees to graze the allotment), and high for ecological or social values (e.g., allotment within Wilderness Study Area, grazing conflicts with sensitive species, allotment borders developed area), then the BLM may seek to close the allotment to livestock grazing or reallocate the forage as a grassbank ("Reserve Forage Allotment"). However, the BLM will only close or reallocate an allotment as a grassbank if the current grazing permittee voluntarily relinquishes the grazing permit to the agency.

The BLM devised a formula to determine the value of each allotment for grazing, ecological and social uses to estimate which allotments have the highest potential for conflicts. The plan applies the formula to each of the 124 active grazing allotments in the planning area (*see* **Grazing Guidelines – Allotment Evaluations**). Each allotment was given a "Social," "Demand," and "Ecological" score, which may be plotted on the decision matrix to help decide future management for each allotment when conflict occurs, or when a permit comes due for renewal.

The formula first measures the potential for social conflict on each grazing allotment, considering three factors: (1) miles of residential or resort zoning along allotment boundary; (2) amount of recreational use; and (3) percent of allotment within a special management area (e.g., Wilderness Study Area) that was designated at least in part for "social" values (e.g., visual resources, solitude). The factors making up the total social conflict score are weighted equally (each represents 33 percent of the total score).

Second, each allotment was scored for its demand for grazing, using eight factors: (1) waiting list for permit for allotment; (2) miles of residential or resort zoning along allotment boundary (this factor and factor #3 are calculated the same here as they are under social conflict); (3) amount of recreational use; (4) costs to install required new and maintain existing fences (assuming $50/mi

for fence maintenance and $4,000/mi for new fences); (5) percent of allotment that requires that water be hauled to livestock watering troughs; (6) existence of seasonal restrictions on grazing; (7) relative amount of forage (AUMs) on allotment; and (8) percent of allotment containing important deer, grouse, and elk habitats. Factors are weighted as follows: #1 is 20 percent of the total demand score, #2, #3, #4, #5, #7 are each 12 percent, and #6 and #8 are each 10 percent. An allotment's waiting list score is based on the professional judgment of a BLM Rangeland Management Specialist (12 years at Prineville District BLM).

Finally, criterion for determining the ecological value of a grazing allotment include: (1) percent of the allotment failing to meet Standards for Rangeland Health; (2) percent of allotment containing important deer, grouse, and elk habitats; (3) percent of allotment within a special management area (e.g., Wilderness Study Area) that was designated at least in part for "ecological" values (e.g., sensitive species). The factors are weighted as follows: #1 makes up 40 percent of the total ecological conflict score, #2 and #3 are each 30 percent.

Further details on the formula, including explication of how the social, grazing demand, and ecological values were determined and instructions on application of the grazing decision matrix, is available in the proposed Upper Deschutes plan. Assuming the plan is finalized as written, the preferred alternative, using the decision matrix, would reduce areas available for livestock grazing in the planning area by up to approximately 121,000 acres, reducing available AUMs by about 20% percent, if all permittees willingly relinquished their permits. About half of these acres would still be available as Reserve Forage Allotments, but the AUMs would not be allocated to specific permittees (*see* **Alternatives Grazing Comparison Chart**). While grazing operators may participate in voluntary permit relinquishment for any allotment under any alternative in the proposed plan, the grazing matrix provides additional opportunities for BLM managers to designate active allotments as other than "open" to reduce conflicts between livestock grazing and other uses on and adjacent to public lands in the planning area.

BLM. 2004. Proposed Upper Deschutes Resource Management Plan/Final Environmental Impact Statement. BLM, Prineville District, Deschutes Resource Area. (September 2004). Vol. I: xxxiii.

Table ES-1. Comparison of Grazing Management in Alternatives[1]

Alternative 7 (Preferred Alternative) would reduce the areas available for livestock grazing over those identified in Alternative 1 (current management) by up to approximately 121,000 acres, reducing available AUMs by about 20% percent in the planning area, if all permittees willingly relinquished their permits. This would reduce conflicts between livestock grazing and other uses on and adjacent to public land. About half of these acres would still be available as Reserve Forage Allotments, but the AUMs would not be allocated to specific permittees.

	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5	Alternative 6	Alternative 7
Livestock Grazing							
Acres available for livestock grazing[5]	389,900	389,348	389,348	348,682	228,625	347,890	268,815
AUMs / Number of Allotments[6]							
Available (Open)	25,840 / 124	25,779 / 124	25,779 / 124	23,545 / 86	13,261 / 61	24,375 / 115	20,785 / 84
Open or available as RFA[7]	0	0	0	0	0	0	472[9] / 1
Available as RFA	0	0	0	0	0	0	1,967[10] / 10
RFA or not available[8]	0	0	0	0	0	0	1,834[11] / 23
Not available (Closed)	0	69 / 0	69 / 0	2,345 / 38	12,530 / 63	1,508 / 9	721[12] / 6

[1] All numbers in this table are approximate. All percentages are in relation to the approximately 404,000 acres of BLM-administered public land within the planning area, not in relation to all land in the planning area.

[5] The available acres are not 100% of the acres in the planning area; several thousand acres remain unavailable to grazing in all alternatives.
[6] Allotments were counted as Open if any portion of the allotment remains Open in the alternative. Number of allotments counts La Pine unallotted as one.
[7] RFA = reserve forage allotment (see text for description)
[8] The "RFA or not available" column is a management discretion category.
[9] This figure assumes the permittees voluntarily relinquish their permits. If they don't, the figures would drop to 0 and "open" would increase correspondingly.
[10] ibid
[11] ibid
[12] ibid

BLM. 2004. Proposed Upper Deschutes Resource Management Plan/Final Environmental Impact Statement. BLM, Prineville District, Deschutes Resource Area. (September 2004). Vol. III: 50-58.

Land Uses

Livestock Grazing

Objective LG_1: Provide for continued livestock grazing, while reducing conflicts with and meeting needs of other uses and resources.

Rationale:
During the planning process, public comments urged the BLM to modify or discontinue grazing in sensitive areas, critical plant/animal habitats, and areas not grazed in many years. Livestock grazing permittees who rely on public lands also expressed continued concerns about the difficulty of managing allotments in areas adjacent to resorts and residential areas, and in areas of high recreation uses. BLM management direction is to reduce threats to public health, safety, and property as well as to provide guidance for grazing management.

FLPMA, the Public Rangeland Improvement Act (PRIA), the Taylor Grazing Act, and other acts direct public lands to be managed for multiple use and sustained yield; and, among other things, to provide for improved forage conditions to benefit wildlife, watershed protection and livestock production.

The Standards for Rangeland Health and Guidelines for Livestock Management (BLM 1997), provide standards by which the condition of watersheds currently under livestock management can be measured to evaluate upland and riparian function, ecological processes, water quality, and habitat for native, Threatened and Endangered, and locally important species. Based on the condition assessment, this direction also guides actions to be taken if livestock grazing is found to be affecting those factors. These Standards and Guidelines have been incorporated into this plan by reference, and form the basis for future evaluation of livestock use. However, these Standards and Guidelines to not include evaluation social and economic conditions that are prevalent throughout the planning area. The Grazing Matrix establishes classifications into which each allotment is placed depending upon a number of factors in addition to the Rangeland Health Standards. This approach is described under guidelines, and the classifications displayed in the Grazing Matrix.

Allocations/Allowable Uses:

General Uses

1. Allow prescribed livestock grazing to control weeds, reduce fire danger, or accomplish other management objectives, regardless of parcel status (including active, vacant, RFA, or area of discontinued grazing).
   A. Prescribed grazing would only occur when BLM initiates such action.
   B. Vacant allotments and areas of discontinued grazing would not be available for temporary non-renewable grazing use.
2. Allotment classifications shown in appendix G may be adjusted by more site-specific information about allotments.
3. Livestock grazing would not be allowed in the fenced area around Mayfield Pond, after an alternate water source for livestock is established.
4. Additional direction for livestock grazing in Peck's Milkvetch ACEC is described in the Special Management Areas section.
5. After a disturbance event[1] which results in undesirable soil or plant conditions, livestock grazing would typically not be permitted the remainder of the calendar year, and through the growing season of the next year. Exceptions would be for cases where such grazing would either not impede site recovery, or where livestock are used as a tool to aid in achieving certain recovery objectives (such as cheatgrass control). Livestock grazing would resume after interdisciplinary review and determination that soil and vegetation have recovered sufficiently from the initial disturbance to support livestock grazing.
6. Livestock grazing would be allowed in pastures if the disturbance event does not result in undesirable soil or vegetative conditions. Livestock exclusion after disturbance events would also not be required if livestock would not be trailed through the affected area, and attractants (e.g., water, supplemental feed, salt) are not provided within one mile. Attractants could be closer than one mile if physical barriers (e.g., rimrock, fences) would prevent livestock access to the affected area.
7. Prescribed or permitted livestock grazing could occur any time after disturbances in pastures containing affected areas if an interdisciplinary team designs and monitors the grazing to accomplish resource objectives (e.g. to control noxious weeds, or assist in getting broadcast seeds worked into the soil).

[1] Natural and human-induced events including but not limited to wildland fire, prescribed burns, timber management treatments, juniper cuts, and rehabilitation seedings.

Allotment Classification

8. FEIS Map 5 and the "Alt 7" column in Appendix G show areas available for livestock grazing. Allotments are shown or listed in one of several categories: "Open," "If permit is relinquished (IPR), Open or create Reserve Forage Allotment (RFA)" (see explanation of RFA below under guidelines), "IPR, create RFA," "IPR, Close or create RFA," "IPR, Close" or "Close." Some of these categories allow manager discretion (ones with "or").
9. Livestock grazing would continue to be allowed for allotments in the "Open" category on the Grazing Matrix (Table PRMP-4). See section below on "Using the Grazing Matrix" for instructions on how to rate allotments, and see Table PRMP-5 for allotments' raw scores on each factor. Currently about 90 allotments (75 percent) of the allotments are in the "Open" category.
10. Livestock grazing would continue be allowed under permit or as an RFA for allotments falling in the "IPR, Open or Create RFA" category on the Grazing Matrix if the grazing permittee voluntarily relinquishes his or her grazing permit.
11. Allow livestock grazing as an RFA for allotments falling into the "IPR, Create RFA" category if the grazing permittee voluntarily relinquishes his or her grazing permit.
12. Livestock grazing would not be allowed under permit but could be allowed as an RFA for allotments falling into the "IPR, Close or Create RFA" category if the grazing permittee voluntarily relinquishes his or her grazing permit.
13. Livestock grazing would not be allowed for allotments falling in the "IPR, Close" category if the grazing permittee voluntarily relinquishes his or her grazing permit.
14. Livestock grazing would not be allowed for allotments falling in the "Close" category.

<u>Guidelines:</u>

1. Permits for Reserve Forage Allotments would not be held by specific grazing operators. In these allotments, temporary, non-renewable use could be granted to federal permit holders when there is a demonstrated need to rest a permittee's allotment. "Need" for rest would include but not be limited to the following reasons: Prior to prescribed fire or necessary fence construction, or during/after rehabilitation projects, wildland fire or prescribed fire, drought, flood, insect damage, or disease. Use would meet goals described for the area in the RMP and, if applicable, in an Allotment Management Plan.
2. Grazing operators in good standing can continue to hold or transfer permits to other qualified applicants in all but those allotments in the "Close" category on the Grazing Decision Matrix.

Using the Grazing Matrix

3. Estimate the potential demand for and social and ecological conflict in each allotment using the factors shown in Table PRMP-2. Note conflict/demand are interrelated, so there is some overlap of factors used in their estimates. The weighting of each factor in the conflict/demand rating is also shown in the Table PRMP-3.

Table PRMP-2 Grazing Matrix Factors[1]

Factor title	What factor measures	How factor is calculated[2]	Weight of factor		
			Social	Demand	Ecological
SMA Social	Percent of acres within allotment designated as a Special Management Area (SMA) in part for social values (e.g.: WSA for scenery, solitude)	Acres SMA-social/total acres in allotment.	33		
Zoning	Miles of high-density zoning (resort, residential) along allotment boundary relative to number of AUMs in allotment, and relative to other allotments.	Miles X 4000/AUMs in allotment.[3]	33	20	
Recreation	Amount of recreational use in allotment	If C3 on Allotment Categorization Form (see App. G) is "M" then the score is 75; if it is "H" the score is 100.	33	12	
Wait List	Rancher interest in allotment	Relative interest shown in an allotment compared to other allotments, based on considerations including but not limited to applications, letters of interest and personal contacts.		12	
Fencing	Cost to install new fence and maintain existing fence, relative to other allotments.	Miles of fence maintenance X 4 X $50/mi/yr + miles of new fence X $4,000/mi/decade.[4]		12	
Water	Percent of allotment needing water hauled to troughs	Permittee and BLM estimate of number of acres served by hauling water to troughs, divided by the total number of acres in the allotment.		12	
Seasonal	Amount of seasonal restrictions on livestock grazing.	Grazing restricted to one season = 100, two seasons = 50, three seasons = 25, year-round permit = 0		10	
Forage	Relative amount of forage in allotment, compared to other allotments in planning area	For each allotment, 2500/AUMs.[5]		12	
Wildlife	Percent of allotment containing important deer, grouse, and elk habitats.	For each allotment, 0.5 X (percent of acres deer winter range + percent of acres sage grouse habitat + percent elk winter range)[6]		10	30
SMA Ecological	Percent of acres within allotment designated SMA at least in part for ecological values (e.g. Peck's Milkvetch ACEC).	Acres SMA-ecological/total acres in allotment.			30
Rangeland Health Assessment	Percent of Standards not met during Rangeland Health Assessment, where livestock have been determined to be part of that failure.	Number of Standards not met where livestock are a factor/total number of Standards (5)			40

[1] Each allotment's score on the above factors at the time of this printing is listed in Table LG2-XX. These scores are not constant; they change as the amount of residentially zoned land around allotments changes, as the proportion of the allotment where water is hauled vs. piped changes, and as each of the other factors making up the scores changes.
[2] All calculations are estimates, and would require site visit, updated information, and permittee input to get more accurate estimate. Scores at time of this printing are shown in Appendix G.
[3] Score is multiplied (by number indicated) and scores over 100 are set at 100, to get a more even spread of scores and to make the indicators sensitive enough to register differences.
[4] *Ibid*
[5] *Ibid*
[6] *Ibid*

Table PRMP-3 Grazing Matrix Rating

Factor	Rating		
	Low	Moderate	High
Social	<34	34-66	>66
Demand	>66	34-66	<34
Ecological	<34	34-66	>67

Table PRMP-4: Grazing Matrix

		SOCIAL & ECOLOGICAL RATING								
		Low Ecological			Moderate Ecological			High Ecological		
		Low Social	Moderate Social	High Social	Low Social	Moderate Social	High Social	Low Social	Moderate Social	High Social
DEMAND RATING	Low Demand	IPR, Close or create RFA[2]	IPR, Close or create RFA	IPR, Close or create RFA	IPR, Close or create RFA	IPR, Close	IPR, Close	IPR, Close	Close[3]	Close
	Moderate Demand	Open	Open	IPR, create RFA	Open	IPR, Close or create RFA	IPR, Close	IPR, Close or create RFA	IPR, Close	IPR, Close
	High Demand	Open	Open	IPR, Open or create RFA	Open	IPR, Open or Create RFA	IPR, create RFA	IPR, Open or create RFA	IPR, create RFA	IPR, Close or create RFA

[1] IPR = if permit is relinquished
[2] RFA = Reserve Forage Allotment
[3] Close = Discontinue livestock grazing for the life of the plan. BLM would provide two years notice of cancellation unless waived by permittee.

Table PRMP-5: Indicators of and estimated levels of Conflict/Demand regarding Livestock Grazing (for use in Grazing Matrix).

Allotment Number	Indicators (factors)											Estimated Levels Total score[1] in category, and rating (Low, Moderate, High)					
	SMA Soc	Zoning	Recreation	Waiting List	Fences	Water	Seasonal	Forage	Wildlife	SMA Eco	S&Gs	Social		Demand		Ecological	
0072	0	12	75	75	57	100	100	30	3	0	0	43	M	58	M	1	L
5001	0	100	75	90	29	100	50	100	3	0	0	88	H	72	L	1	L
5002	0	100	75	95	100	0	100	100	0	0	0	88	H	74	L	0	L
5003	0	100	0	95	100	100	50	100	0	0	0	51	M	72	L	0	L
5004	0	0	0	90	25	0	100	100	0	0	0	0	L	43	M	0	L
5006	0	100	75	95	100	100	50	100	100	100	0	88	H	91	L	60	M
5007	0	0	75	85	68	50	100	100	100	100	0	37	M	72	L	60	M
5011	0	0	0	0	17	0	0	100	100	0	0	0	L	24	H	30	L
5012	0	72	75	75	77	100	0	30	100	0	0	74	H	68	L	30	L
5018	0	41	75	50	27	0	50	51	100	0	0	58	M	48	M	30	L
5019	0	0	100	10	5	40	25	13	10	0	0	50	M	24	H	3	L
5022	0	100	75	75	42	0	100	40	0	0	20	88	H	56	M	8	L
5023	0	0	0	0	40	0	0	100	80	0	0	0	L	25	H	24	L
5024	0	0	0	0	20	0	25	100	100	0	0	0	L	27	H	30	L
5026	0	67	0	95	100	0	50	83	100	2	0	34	M	64	M	31	L
5031	0	0	75	90	100	0	0	37	100	0	40	37	M	53	M	46	M
5032	0	0	0	90	25	100	100	100	53	0	0	0	L	60	M	16	L
5050	0	0	100	85	11	100	50	89	100	0	0	50	M	68	L	30	L
5051	0	0	100	85	20	100	0	49	100	0	0	50	M	59	M	30	L
5052	0	0	100	85	50	100	0	100	82	0	0	50	M	67	L	25	L
5061	0	100	100	95	100	100	50	7	100	0	0	101	H	83	L	30	L
5064	0	0	0	65	23	100	50	57	100	0	0	0	L	50	M	30	L
5065	0	52	75	50	34	100	100	8	100	0	0	63	M	62	M	30	L
5066	0	29	0	75	32	100	100	74	100	0	0	15	L	63	M	30	L
5067	0	0	75	95	100	0	50	100	100	0	0	37	M	67	L	30	L
5068	0	0	75	95	100	100	50	54	100	0	0	37	M	74	L	30	L
5069	0	100	75	95	100	50	50	100	100	0	0	88	H	85	L	30	L
5070	0	0	75	95	100	100	50	13	100	0	0	37	M	69	L	30	L
5071	0	56	75	95	100	100	50	10	100	0	0	65	M	75	L	30	L

Allotment Number	Indicators (factors)											Estimated Levels Total score[1] in category, and rating (Low, Moderate, High)					
	SMA Soc	Zoning	Recreation	Waiting List	Fences	Water	Seasonal	Forage	Wildlife	SMA Eco	S&Gs	Social		Demand		Ecological	
5072	0	42	100	90	90	100	50	17	100	0	0	71	H	75	L	30	L
5073	0	13	100	60	10	100	0	4	100	43	0	56	M	49	M	43	M
5075	0	71	100	60	50	100	0	22	100	65	0	86	H	63	M	50	M
5076	0	0	0	75	4	0	100	37	100	0	40	0	L	40	M	46	M
5078	0	100	100	75	12	100	50	13	100	100	40	101	H	69	L	76	H
5079	0	10	100	75	12	100	50	25	100	49	40	55	M	60	M	61	M
5080	0	24	75	50	37	100	0	12	100	0	0	49	M	50	M	30	L
5081	0	0	0	80	36	0	100	100	100	0	0	0	L	52	M	30	L
5082	0	0	0	95	100	0	50	100	100	0	0	0	L	58	M	30	L
5084	0	0	75	95	100	100	50	100	0	0	0	37	M	69	L	0	L
5086	0	0	0	90	100	0	100	100	20	0	0	0	L	54	M	6	L
5088	0	0	0	90	12	0	25	100	79	0	0	0	L	42	M	24	L
5089	0	0	75	90	100	25	100	100	0	0	0	37	M	64	M	0	L
5092	0	0	100	90	36	0	100	76	0	0	0	50	M	53	M	0	L
5093	0	0	0	90	84	0	50	100	0	0	0	0	L	45	M	0	L
5094	0	0	0	90	13	100	25	100	0	0	0	0	L	46	M	0	L
5096	0	83	0	90	25	0	0	100	100	0	0	43	M	53	M	30	L
5107	0	0	0	90	6	0	25	69	0	0	0	0	L	30	H	0	L
5108	15	0	100	80	17	0	25	33	100	0	0	57	M	47	M	30	L
5109	0	0	75	60	17	100	0	10	100	0	0	37	M	46	M	30	L
5110	0	0	0	90	11	0	25	71	0	0	0	0	L	30	H	0	L
5111	0	100	75	75	37	100	100	51	0	0	0	88	H	69	L	0	L
5112	0	4	75	60	15	50	50	10	0	0	0	39	M	36	M	0	L
5113	0	0	100	60	27	50	100	25	0	0	0	50	M	46	M	0	L
5114	0	0	100	60	11	50	25	14	0	0	0	50	M	36	M	0	L
5115	0	0	100	50	24	0	50	23	0	0	0	50	M	33	H	0	L
5116	2	60	100	50	11	0	100	4	0	0	0	81	H	41	M	0	L
5117	5	0	100	50	9	0	50	5	0	0	0	52	M	29	H	0	L
5119	0	0	0	50	4	0	100	50	0	0	0	0	L	26	H	0	L
5120	4	0	100	50	13	50	25	11	0	0	0	51	M	33	M	0	L
5121	0	0	75	25	13	100	0	21	0	0	0	37	M	30	H	0	L
5122	13	100	75	85	13	0	25	37	0	0	0	95	H	47	M	0	L
5123	0	0	0	0	8	0	0	49	100	0	0	0	L	17	H	30	L

Allotment Number	Indicators (factors)											Estimated Levels Total score[1] in category, and rating (Low, Moderate, High)					
	SMA Soc	Zoning	Recreation	Waiting List	Fences	Water	Seasonal	Forage	Wildlife	SMA Eco	S&Gs	Social		Demand		Ecological	
5125	0	0	100	50	14	50	25	8	0	0	0	50	M	33	H	0	L
5127	0	0	100	25	14	100	25	4	100	0	0	50	M	44	M	30	L
5130	0	0	0	0	6	0	0	24	100	0	0	0	L	14	H	30	L
5132	0	25	100	25	21	75	0	6	100	0	0	62	M	42	M	30	L
5133	0	0	0	0	53	0	25	100	100	0	0	0	L	31	H	30	L
5134	0	0	100	0	14	5	0	4	100	0	60	50	M	25	H	54	M
5135	0	72	100	25	12	0	0	7	100	0	0	86	H	38	M	30	L
5136	0	57	100	10	13	0	75	7	100	0	0	78	H	41	M	30	L
5138	0	0	75	25	23	100	0	10	100	0	0	37	M	40	M	30	L
5140	0	0	75	0	6	0	50	2	100	0	0	37	M	25	H	30	L
5141	0	0	0	0	6	0	50	7	100	0	0	0	L	17	H	30	L
5142	0	100	75	0	23	0	0	54	100	0	0	88	H	40	M	30	L
5143	0	0	75	0	14	0	75	15	100	0	0	37	M	30	H	30	L
5145	0	0	100	0	16	0	50	15	100	0	0	50	M	31	H	30	L
5176	0	0	0	95	100	0	50	100	100	0	0	0	L	58	M	30	L
5177	0	0	0	90	16	0	50	25	100	0	0	0	L	38	M	30	L
5178	0	0	0	95	100	50	50	36	100	0	0	0	L	56	M	30	L
5179	0	0	0	90	100	0	50	100	60	0	0	0	L	53	M	18	L
5180	0	0	0	85	100	0	50	100	99	0	0	0	L	56	M	30	L
5182	0	0	0	95	100	0	50	32	100	0	0	0	L	50	M	30	L
5198	0	0	0	95	100	0	50	100	80	0	60	0	L	56	M	48	M
5201	0	43	100	75	13	100	50	18	0	0	0	71	H	53	M	0	L
5204	100	71	75	90	25	100	25	89	100	0	0	123	H	74	L	30	L
5205	56	0	75	85	48	0	0	33	100	0	40	65	M	46	M	46	M
5206	0	100	75	95	100	100	50	100	100	0	0	88	H	91	L	30	L
5207	100	0	75	85	39	100	25	66	100	0	40	87	H	63	M	46	M
5208	0	28	75	25	6	0	50	4	100	0	0	52	M	34	M	30	L
5209	93	0	75	25	11	100	25	5	100	0	20	83	H	40	M	38	M
5210	0	0	75	0	5	100	0	2	100	0	0	37	M	32	H	30	L
5211	0	0	100	10	7	85	0	8	100	0	0	50	M	36	M	30	L
5212	5	0	100	10	5	0	0	1	100	0	0	52	M	25	H	30	L
5213	44	0	100	10	8	100	0	4	100	0	0	71	H	37	M	30	L
5214	0	0	100	0	9	0	0	3	100	0	0	50	M	23	H	30	L

Allotment Number	Indicators (factors)											Estimated Levels Total score[1] in category, and rating (Low, Moderate, High)					
	SMA Soc	Zoning	Recreation	Waiting List	Fences	Water	Seasonal	Forage	Wildlife	SMA Eco	S&Gs	Social		Demand		Ecological	
5216	0	0	75	85	75	0	100	100	0	0	20	37	M	57	M	8	L
5224	0	0	0	0	47	0	0	100	100	0	0	0	L	28	H	30	L
5228	0	0	0	0	7	0	0	15	100	0	0	0	L	13	H	30	L
5231	0	0	75	0	4	0	50	1	100	0	0	37	M	25	H	30	L
5233	0	0	0	0	3	10	0	5	100	0	0	0	L	12	H	30	L
5234	0	0	0	0	6	0	25	13	100	0	0	0	L	15	H	30	L
5252	0	0	75	95	79	0	50	74	0	0	0	37	M	51	M	0	L
5257	0	0	0	0	10	0	0	100	42	0	0	0	L	17	H	13	L
5261	0	91	0	0	14	0	25	57	100	0	0	46	M	32	H	30	L
7502	0	4	0	85	43	100	0	2	100	0	0	2	L	45	M	30	L
7504	0	11	0	75	9	0	25	27	100	0	0	5	L	33	H	30	L
7509	0	100	75	75	55	0	50	28	100	0	0	88	H	61	M	30	L
7514	0	100	0	90	61	0	100	93	100	0	0	51	M	68	L	30	L
7515	0	0	75	85	13	0	25	42	100	0	0	37	M	45	M	30	L
7530	0	0	0	90	3	0	100	78	0	0	0	0	L	38	M	0	L
7538	0	100	75	95	100	0	50	96	100	0	0	88	H	79	L	30	L
7552	0	2	0	60	7	50	50	4	100	0	0	1	L	34	M	30	L
7554	0	0	0	90	27	0	50	100	40	0	20	0	L	42	M	20	L
7559	0	28	75	60	8	50	25	14	100	0	0	51	M	46	M	30	L
7571	0	38	0	95	42	0	50	96	0	0	0	20	L	45	M	0	L
7572	0	100	0	90	29	0	25	100	0	0	0	51	M	48	M	0	L
7574	0	0	0	95	41	100	50	74	39	0	0	0	L	54	M	12	L
7575	0	82	0	80	55	0	75	34	0	0	0	42	M	44	M	0	L
7582	0	0	0	75	29	100	0	100	99	0	0	0	L	52	M	30	L
7586	0	61	75	80	21	100	75	76	0	0	0	68	H	63	M	0	L
7594	0	0	0	95	25	0	25	100	13	0	0	0	L	38	M	4	L
7595	0	100	0	80	22	50	25	35	100	0	0	51	M	53	M	30	L
7597	0	0	75	73	5	0	50	10	100	0	0	37	M	40	M	30	L
9999	0	6	75	75	26	50	50	0	100	0	0	40	M	49	M	30	L

[1] The raw scores for some factors were proportionally adjusted to achieve a fairly even spread between 0 and 100 (aiming for about 1/3 falling above 67, at the "high" end). This was necessary to make the indicators sensitive enough to register differences between allotments. These adjustments are noted above by the adjusted factors.

North West Great Basin Association P O. Box 556 Cedarville, CA 96104

July 25, 2006

Surprise RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Dear Coordinator:

Many thanks for the opportunity to comment on the Draft RMP and EIS for the Surprise Field Office. We have the following concerns that we think need further attention in your document for it to be in compliance with NEPA.

31-1 **Range of Alternatives:** While we are impressed that you include five alternatives, we find the actual content and range of those alternatives extremely limited. In addition, the analysis for each resource rarely presents five alternatives.

Livestock grazing: the BLM Land Use Planning Handbook states that allotments must be evaluated to identify whether they are available for grazing in a land use plan.

31-2 • How can you justify allowing grazing on all 49 allotments when you have only conducted evaluations of rangeland health standards on 29 of them?

31-3 • In addition, we were unable to find the criteria used to determine that grazing is allowable on the 30% (of those evaluated) that are not meeting or not making progress towards one or more of the standards in which grazing practices are at least partially responsible.

31-4 • As each alternative presents the same total of 92,465 AUMs we fail to see that you have provided more than two alternatives (annual reduction in Alternative 2.)

31-4 • If this is because you need to adhere to the AUMs in the many permits already renewed in the 18 months prior to the RMP, we suggest you are putting the cart before the horse. The RMP should guide the permits, not the reverse.

31-5 **Recreation:** Increased recreational needs are emphasized at the beginning of the RMP but you do not analyze those needs fully. The RMP does not identify special recreational uses based on need and resource. As the various categories of management acreages in Alternatives 2 & 3 and Preferred only increase by less that 1%, we feel the alternatives

31-6 that are presented in the RMP are essentially the same. However we do object to the

31-7 active promotion of tourism in Alternative 1 unless plans are presented in the RMP to prevent impacts to other resources and uses.

31-8 **Cumulative Impacts:** This area needs further work to comply with NEPA standards.

Thank you very much for the opportunity to comment.

Sincerely,

Sophie Sheppard

Sophie Sheppard, local issues chair

Marjorie L Sill <msill@juno.com>
07/27/2006 12:12 PM
To
necarmp@ca.blm.gov
cc
msill@juno.com
bcc

Subject
Surprise Draft RNP and EIS

Dear Planning Coordinator:
The following are my comments on the Preferred Alternative for Wilderness Stidu Areas

I think it would be a mistake to designate routes within the sWSA's and map these. While I realize that vehicular traffic is allowed on routes within the WSA's where it is now occurring, to formally designate these routes could mean that the wilderness quality of the WSA could be impaired to such an extent that the WSA would no longer be suitable for wilderness designation. I feel that this would be a violation of FLPMA

32-1

I certainly support closure and reclamation of routes which have adverse effects on watersheds or wildlife.

32-2

Marjorie Sill
720 Brookfield Drive
Reno, NV 89503
775-322-2867.

United States Department of Agriculture **Forest Service** **Modoc National Forest**
800 West 12th Street
Alturas, CA 96101
(530) 233-5811
TTY (530) 233-8708

File Code: 1920
Date: July 21, 2006

Surprise Valley RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Dear Owen:

My staff has briefly reviewed your Draft Resource Management Plan and Draft Environmental Impact Statement for your area and provided the following comments:

- We would like consideration of removal of the area along County Road 40 that provides access to Emerson Campground and the South Warner Wilderness from designation as a WSA. There is need to provide improved access and parking along this road and BLM lands may provide an opportunity to better serve the public. The Forest Service is concerned that disposal of some or all of the lands contained in the South Warner Contiguous and Sheldon Contiguous areas may degrade the South Warner Wilderness and the Sheldon Inventoried Roadless Area by removing a buffer from true wilderness and backcountry management areas.

33-1

33-2

- The Modoc NF is about to begin its LRMP Revision process and would like to get copies of the BLM GIS database used to formulate your Preferred Alternative. Please have your database/GIS manager contact Sean Redar at 530-233-8739 to expedite this technology transfer of information.

33-3

We will not be commenting on the analysis of alternatives as this is based on your planning direction. As noted above our focus has been on those strategic areas in your plan that may affect management of the Modoc National Forest in the future. Thank you for the opportunity to comment. If your staff has specific questions about the above please contact Robert Haggard at (530) 233-8840.

Sincerely,
/s/ Stanley G. Sylva
STANLEY G. SYLVA
Forest Supervisor

cc: Bradley J Burmark
Owen Billingsley

Washoe County
Department of
Community
Development
1001 E. Ninth St., Bldg A
Post Office Box 11130
Reno, NV 89520-0027
Tel: 775-328-3600
Fax: 775-328-3648

Eagle Lake & Surprise RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130

RE: Review and Comment on the Adequacy and Accuracy of the Draft Environmental Impact Statements for Eagle Lake and Surprise Resource Management Plans.

Washoe County, in accordance with its status as a cooperating agency, has completed its review on the adequacy and accuracy of the Draft Environmental Impact Statement for the Eagle Lake and Surprise Resource Management Plans. The review consisted of an initial analysis by Washoe County staff with additional review and comment by the Washoe County Planning Commission on July 6, 2006 and Washoe County Board of County Commissioners on July 18, 2006.

Each comment is preceded by the page number and the chapter number within the DEIS document that the comment addresses. Comments are not listed in order of importance or significance, but in order of page reference.

SURPRISE FIELD OFFICE

34-1 1. (Pg. ES-7, 4th bullet) Under Special Area Designation-Wilderness Study Areas change "right-of-trails" to "right-of-way".

34-2 2. (Pg. 2-7, Ch.-2.1.5) Include text about coordinating prescribed fire projects with the adjacent BLM Field Offices, due to potential negative impacts on special events on "down-wind" public lands.

34-3 3. (Pg. 2-16, Ch.-3.3, (2)) In the restrictions on Leasable Minerals recommend moving the protection of Sage Grouse Leks from a "Seasonal Restriction" to a "Closed" category.

34-4 4. (Pg. 2-31, Ch.-2.5.10 ¶1) Recommend that the Preferred Alternative limit post-fire timber salvage sales on commercial forestlands to existing roads and low-impact methods.

34-5 5. (Pg. 2-56, Ch.-2.11.5) Recommend better protection of important resources in the "Areas of Critical Environmental Concern" by designating all ACEC's as "closed to all mineral activity".

34-6 6. (Pg. 2-70, Ch.-2.14) The Travel Management section text should be clearer on what the practical differences are between the designation of off-highway vehicle routes as "existing" and "designated".

34-7 7. (Pg. 2-83, Ch.-2.16.10) Suggest that somewhere in this section that "chemical treatments" be explained.

34-8 8. (Pg. 2-87, Ch.-2.17.10) Recommend that the Preferred Alternative include "Emphasize restoration of infested noxious weed sites to native vegetation".

Adrian P. Freund,
AICP,Director

COMMUNITY
DEVELOPMENT

34-9 9. (Pg. 2-98, Ch.-2.20.10) Recommend that the Preferred Alternative include "Construct fences or exclosures to protect springs, streams, and riparian areas".

34-10 10. (Pg. 2-99, Ch.-2.21) Recommend including explanation of "instream" and "riparian" rights at this location or other appropriate location in the document.

34-11 11. (Pg. 2-113, Ch.-6.4, ¶1) The text reads that locally developed conservation strategies for special status species would be used to identify fire suppression areas. Recommend also adding to this; "land tenure decisions; off-highway vehicle regulations and utility corridor decisions".

34-12 12. (Pg. 2-129, 3rd bullet) Include explanation of "consumptive uses" in reference to Soil Resources.

34-13 13. (Pg. 2-145) Under the Sagebrush Obligate Species section the second bullet should also include the "Washoe-Modoc Sage Grouse Conservation Strategy".

34-14 14. (Pg.2-166) Recommend an individual section in the Impacts Summary Table for "Special Status Plants".

34-15 15. (Land Tenure Adjustments Map) Correct the mistake of "green hatching" continuing west of the "Potential Disposal" (Zone 3).

EAGLE LAKE FIELD OFFICE

34-16 1. (Pg. 2-7, Ch.-2.1.5) Include text about coordinating prescribed fire projects with the adjacent BLM Field Offices, due to potential negative impacts on special events on "down-wind" public lands.

34-17 2. (Pg. 2-17, Ch.-3.3, ¶5) In the restrictions on Leasable Minerals recommend moving the protection of Sage Grouse Leks from a "Seasonal Restriction" to a "Closed" category.

34-18 3. (Pg. 2-21, Table 2.3-5) Recommend including all ACEC's as being closed to Locatable Minerals development.

34-19 4. (Pg. 2-22, Table 2.3-6) Recommend including all ACEC's as being closed to Saleable Mineral Extraction.

34-20 5. (Pg. 2-35, Ch.-2.5.10 ¶1) Recommend that the Preferred Alternative limit post-fire timber salvage sales on commercial forestlands to existing roads and low-impact methods.

34-21 6. (Pg. 2-41, Ch.-1.1, 4th bullet) Recommend re-writing this to make it's intent more easily understood.

34-22 7. (Pg. 2-41, Ch.-1.1, 7th bullet) Recommend removing the words "withdrawal" and "condemnation" since they don't fit as acquisition methods.

34-23 8. (Pg. 2-45, ¶3) Recommend re-writing the sentence and adding a descriptive word for clarity.

34-24 9. (Pg. 2-48, Ch.-3.6, 3rd bullet) Recommend changing the word "consider" to "promote".

34-25 10. (Pg. 2-55, Ch.-2.8.10, 3rd bullet) Recommend changing the word "rose" to "increased".

34-26 11. Pg. 2-94, Ch.-8.7) Recommend adding specific management actions that will keep off-highway vehicle use in the proposed South Dry Valley Special Recreation

Management Area from negatively impacting resources in the adjacent North Dry Valley Area of Critical Environmental Concern. 34-26

12. (Pg. 2-114, Ch.-2.16) The Travel Management section text should be clearer on what the practical differences are between the designation of off-highway vehicle routes as "existing" and "designated". 34-27

13. (Pg. 2-115, ¶1) Recommend adding "Limited" as a title for 2nd bullet and adding "Closed" as a title for the 3rd bullet. 34-28

14. (Pg. 2-116, ¶3) Recommend adding "within Limited areas" to the end of the first sentence. 34-29

15. (Pg. 2-118, ¶3) Recommend adding an appropriate minimum depth of snow (i.e. 6") that must be on the ground for over-the-snow vehicle travel. 34-30

16. (Pg. 2-148, Ch.-2.18) Recommend that the Eagle Lake Field Office survey noxious weeds in Washoe County as part of their Integrated Weed Management Plan. 34-31

17. (Pg. 2-148, Ch.-2.18, 3rd sentence) Recommend removing the duplicate word "lands" from the sentence. 34-32

18. (Pg. 2-149, Ch.-2.18.5) Recommend that this section include "Emphasize restoration of infested noxious weed sites to native vegetation". 34-33

19. (Pg. 2-160, Ch.-2.20.5) Recommend acquiring data or performing field surveys, within the Washoe County portion of the Eagle Lake Field Office, on "Special Status Plant species so field office can comply with the stated management objectives in this section. 34-34

20. (Pg. 2-181, Ch.-2.23.10) The Preferred Alternative text states "Assert instream flow rights in Nevada and riparian rights in California on all perennial and important intermittent streams". Recommend including explanation of "instream" and "riparian" rights at this location or other appropriate location in the document. 34-35

21. (Pg. 2-198, Ch.-5.4, 2nd bullet) Recommend including the name of the relevant Sage Grouse working group "Washoe-Modoc Working Group". 34-36

22. (Map WL-3) Recommend including additional data such as Sage Grouse Lek locations in addition to the PMU boundary. 34-37

Should you have any questions, or require clarification regarding the attached comments, please do not hesitate to contact me, at 328-3617. Thank you for the opportunity to comment.

Sincerely,

Bill Whitney

Bill Whitney, Senior Planner

BW/bw

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Nevada Fish and Wildlife Office
1340 Financial Blvd., Suite 234
Reno, Nevada 89502
Ph: (775) 861-6300 Fax: (775) 861-6301

July 27, 2006
File No. 1-5-06-TA-240
Ref. File No. 1-5-04-SP-251

Memorandum

To: Planning Coordinator, U.S. Department of the Interior, Bureau of Land Management, Surprise Field Office, Cedarville, California

From: Field Supervisor, Nevada Fish and Wildlife Office, Reno, Nevada

Subject: February 2006 Draft Resource Management Plan and Environmental Impact Statement for the Surprise Field Office

Attached are the U.S. Fish and Wildlife Service's comments and suggested edits on the Draft Resource Management Plan (RMP)/Environmental Impact Statement (EIS) for the Surprise Field Office. These comments include input from several staff members in our Reno Office. Our review was also coordinated with our Klamath Falls and Bend Field Offices. We appreciate the opportunity to review and provide comments and edits on the Draft RMP/EIS.

Please reference File No. 1-5-06-TA-240 in future correspondence concerning this input. If you have any questions, or require additional information, please contact me or Kevin Kritz at (775) 861-6300.

Sincerely,

for Robert D. Williams
Field Supervisor

cc:
U.S. Fish & Wildlife Service, Klamath Falls Fish & Wildlife Office, Klamath Falls, Oregon
U.S. Fish & Wildlife Service, Bend Fish & Wildlife Office, Bend, Oregon
U.S. Fish & Wildlife Service, Sheldon National Wildlife Refuge, Denio, Nevada

General Comments

Renewable Energy

The Draft Surprise RMP/EIS does not provide a program area discussion related to renewable energy development including wind, solar, or biomass energy. There is a brief mention of considerations for wind or solar energy on page 2-74 under 2.15 Utilities, Transportation, and Telecommunications. However, the RMP/EIS does not provide a comprehensive discussion of renewable energy development including what lands would be open to this type of development, maps showing what lands are open to this type of development, and what, if any constraints, will be placed on this type of development. If BLM is going to permit this type of development under the Preferred Alternative then the effects of this type of development should be analyzed in Chapter 4. We suggest that BLM clarify the proposed action with regards to renewable energy development by including this as a program area in the RMP/EIS.

35-1 Also, with regard to wind energy development we further request that BLM adhere to U.S. Fish and Wildlife Service guidance for wind energy development when permitting any future wind energy projects. We recommend that the Surprise BLM Field Office fully adopt both the Service's *Interim Guidelines to Avoid and Minimize Wildlife Impacts from Wind Turbines* and guidance contained in the Service's *Prairie Grouse Leks and Wind Turbines: U.S. Fish and Wildlife Service Justification for a 5-Mile Buffer from Leks; Additional Grassland Songbird Recommendations* briefing paper. We also recommend that all appropriate guidelines and best management practices from these U.S. Fish and Wildlife Service guidance documents be integrated into all future wind energy developments on the Surprise BLM Field Office.

Surprise BLM Field Office Road System

35-2 In order to reduce and minimize direct impacts of roads, including the related vehicle travel along them, to fish, wildlife, and botanical resources, we encourage the Surprise BLM Field Office to close and eliminate duplicate or parallel roads to the greatest extent possible. Additionally, wherever BLM closes roads to address parallel road concerns, we recommend that the closed roads or road segments be restored to native habitat appropriate to the site, to the greatest extent possible.

Program Areas in the Draft RMP/EIS

35-3 ↓ When the program area listings in the Table of Contents (pages 1, 11, and 111) are compared for Chapters 2, 3, and 4 we note that they are largely the same but there are some differences. The program listings for Chapters 2, 3, and 4 should match for consistency and ease in tracking them throughout the document. For example, in the

35-3 Table of Contents there is a listing for Back Country Byways under the Chapter 3 program listings but no similar listing for Chapters 2 and 4.

Nevada Comprehensive Wildlife Conservation Strategy (CWCS).

35-4 In 2005, the Nevada Department of Wildlife (NDOW), working with other state, federal, non-governmental organizations, and private interests, developed a Comprehensive Wildlife Conservation Strategy for the state of Nevada. This comprehensive plan is designed to assess current populations, conservation status, and management and monitoring needs for all species of fish and wildlife under NDOW's management authority (mammals, birds, reptiles, amphibians, fish, and some aquatic invertebrates). We did not see any reference to the Nevada CWCS in the Draft Surprise BLM RMP/EIS, or any indication that Surprise BLM Field Office will embrace all or parts of the CWCS, in terms of management actions that are within the authority of the Surprise BLM Field Office. We recommend that the Surprise BLM RMP EIS at least reference the CWCS and that BLM agree to support it at some level. Finally, we recommend that BLM document the level of support that will be provided towards implementation of the CWCS and include this in the RMP EIS.

California Comprehensive Wildlife Conservation Strategy

35-5 The State of California has also completed a Comprehensive Wildlife Conservation Strategy. As per our comments above regarding the Nevada CWCS, we also recommend that the Surprise BLM Field Office reference this document in the RMP/EIS and indicate at what level it will be supported by BLM.

Coordination with Sheldon National Wildlife Refuge

35-6 In addition to coordinating with the U.S. Fish and Wildlife Service, Nevada Fish and Wildlife Office, we recommend that the Surprise BLM Field Office coordinate with the Sheldon National Wildlife Refuge, regarding any BLM management decisions that may affect this Refuge, if BLM is not already doing this. Also, given that lands managed by

35-7 the Surprise BLM Field Office lie immediately adjacent to the Sheldon National Wildlife Refuge, we suggest that BLM complete a consistency evaluation for any proposed management actions in the Draft Surprise BLM RMP/EIS that could impact fish and wildlife habitat on this Refuge. Finally, with regard to BLM lands that lie directly

35-8 adjacent to the Sheldon National Wildlife Refuge, we request that BLM not include any proposed actions in the RMP/EIS that would compromise the purpose for which this Refuge was established.

Specific Comments

Section 2.3.3 Leasable Minerals

35-9 Page 2-17, 3.8 Preferred Alternative

The Draft Surprise BLM RMP/EIS indicates that about 1,037,063 acres would be open to leasing for fluid minerals (980,442 acres with standard terms and conditions, 50,344 acres with seasonal or other restrictions, and 6,277 acres with no surface occupancy). This means that about 85 percent of the Surprise BLM land base would be open to leasing for fluid minerals with either some stipulations or major stipulations. It also

35-9

means only about 15 percent of the Surprise land base would be closed to fluid mineral leasing. We do not support this approach and the large proportion of the Surprise land base that would potentially be open to leasing for fluid minerals like oil and gas. We find that the approach proposed in the Draft RMP EIS is not consistent with many of the goals and objectives for fish and wildlife resources under the Preferred Alternative as stated in the Draft RMP/EIS. Allowing this level of potential minerals leasing on the Surprise land base is perplexing because on page 2-15 the RMP/EIS indicates that "leasable mineral potential (oil and gas) is low throughout the field area."

Having 85 percent of Surprise Field Office lands open to fluid mineral leasing conflicts with conserving fish and wildlife resources. We suggest BLM seriously reconsider allowing this many acres to be open to fluid minerals leasing. We recommend you also consider closing: 1) all areas that provide habitat for federally listed species, proposed species, and candidate species; 2) ACEC's established to benefit biological resources (wildlife, fish, plants) or that contribute significantly to the conservation of these biological resources; 3) Riparian and wetland habitat in general; 4) no leasing activity of any kind within 2 miles of any of the lek sites within the Vya and Massacre sage-grouse PMU's; and 5) areas that provide habitat for any BLM Special Status Species that could be impacted by this type of development.

35-10

Page 2-17, 3.8 Preferred Alternative

On page 2-17 the RMP/EIS indicates that 980,442 acres would be open to mineral leasing under standard terms and conditions compared to the Executive Summary where it states that 977,564 acres are open to mineral leasing under standard terms and conditions. These figures should be rechecked and reconciled so that the same figures are used consistently throughout the RMP/EIS.

35-11

Finally there is no map provided in the map portion of the document that shows by category the acres proposed as open to leasing, and those proposed as closed. We suggest this type of map be developed and included in the final RMP/EIS.

Section 2.3.4 Locatable Minerals

35-12

Page 2-19, 4.8 Preferred Alternative

The Draft Surprise BLM RMP/EIS indicates that 1,220,644 acres would be open to locatable mineral development for minerals like gold, silver, and zeolites. This means that 100 percent of the Surprise BLM land base would be open to locatable mineral development. It also means none of the Surprise land base would be closed to locatable mineral development. We do not support this approach and allowing the potential for locatable mineral development over the entire Surprise Field Office land base. We find that the approach proposed in the Draft RMP EIS is not consistent with many of the goals and objectives for fish and wildlife resources under the Preferred Alternative as stated in the Draft RMP/EIS. Allowing this level of potential locatable mineral development on the Surprise land base is also perplexing because in Appendix D the RMP indicates that over the next 15-20 years BLM expects that exploration activity for gold and industrial minerals will only result in the development of two mines (one open-pit gold mine and one zeolite mine).

35-12 Having 100 percent of Surprise Field Office lands open to locatable mineral development conflicts with conserving fish and wildlife resources. We recommend BLM seriously reconsider allowing the entire Surprise Field Office land base to be open to locatable mineral development and consider additional closures based on the following: 1) areas that provide habitat for federally listed species, proposed species, and candidate species; 2) ACEC's established to benefit biological resources (wildlife, fish, plants) or that contribute significantly to the conservation of these biological resources; 3) riparian and wetland habitat in general; 4) no leasing activity of any kind within 2 miles of any of the lek sites within the Vya and Massacre sage-grouse PMU's; and 5) areas that provide habitat for any BLM Special Status Species that could be impacted by this type of mineral development.

Section 2.7 Lands and Realty

Pages 2-37 to 2-38, 2.7.2 Goal

35-13 We recommend that BLM include in this section a stipulation that states that lands with habitat for federally listed, proposed, and candidate species, or proposed or critical habitat not be exchanged or disposed of unless the party acquiring the lands agrees to maintain the habitat for the species.

2.8 Livestock Grazing

Pages 2-40 to 2-42, Management Common to All Alternatives

35-14 We have a concern with regard to the discussion provided in the RMP/EIS on these pages. The concern relates to BLM Environmental Impact Statement DES 03-62 regarding Proposed Revisions to Grazing Regulations for the Public Lands. Our understanding is that BLM has finalized these revisions. If this is the case, then there are some fundamental changes that will be made to the way BLM administers its grazing program. Many of the proposed changes give greater ownership and benefits to permittees grazing on federal lands, and change the time interval between when a resource problem is identified on an allotment and when livestock numbers are adjusted to address the problem. If BLM is actively implementing these policy changes there is a need to present that discussion in the description of both the management common to all alternatives and the Preferred Alternative. Also, there may also be a need to revise livestock grazing discussions in all appropriate sections of the Surprise BLM RMP /EIS to account for these changes in grazing regulations.

Page 2-44, Section 2.8.10 Preferred Alternative

35-15 We note under the Preferred Alternative that 1,220,644 acres of the Surprise BLM Field Office land base would be available for livestock grazing. This means that 100 percent of the Surprise Field Office land base would be available for grazing and none of the acres managed by Surprise BLM Field Office would be closed to this type of use. We do recognize that livestock grazing is a historic and legal use of public lands. However, we are concerned about the Surprise Field Office Preferred Alternative plan to allow the entire land base to be open to livestock grazing. This approach is not consistent with many of the goals and objectives for fish and wildlife resources under the Preferred Alternative as stated in the Draft RMP/EIS. We do not support this level of grazing

utilization on the Surprise Field Office land base and ask that BLM seriously reconsider this approach.

35-15 We request that the Surprise BLM Field Office close more areas now to livestock grazing, so that the needs of grazing permittees are better balanced with the need to conserve biological resources. Allowing 100 percent of the Surprise BLM land base to be open to grazing could have numerous negative consequences to biological resources including federally listed species, federal proposed species, federal candidate species, and sensitive species. In terms of areas to focus on in reducing BLM lands open to livestock grazing we suggest the following: 1) areas that provide habitat for federally listed species, proposed species, and candidate species; 2) ACEC's established to benefit biological resources (wildlife, fish, plants) or that contribute significantly to the conservation of these biological resources; 3) riparian and wetland habitat in general; 4) lands that provide key habitat for BLM Special Status Species where the species population is impacted by grazing. We further suggest that BLM consider reducing grazing pressure on all Surprise lands within the Vya and Massacre sage-grouse PMU's that provide RO sage-grouse habitat. This list is not intended to be all inclusive but rather provided as an indication of the types of species concerns we have with regard to the Surprise Field Office livestock grazing program.

2.11 Areas of Critical Environmental Concern

Page 2-62 and 2-63, 2.11.9 Rabilly-Gravelly ACEC/RNA

We have a concern about the proposed management of this area. The RMP/EIS indicates that livestock grazing will still be allowed under the Preferred Alternative. It also indicates that a particular concern is destruction of cultural plants in and around springs.

35-16 If this is true then it is likely that livestock grazing could negatively affect these cultural plants and that this issue should be addressed in this RMP. If livestock grazing is

35-17 impacting cultural plants then we suggest it be reduced or eliminated to address this

35-18 problem. We also have a concern about the Preferred Alternative in that it does not allow collecting of cultural plants. This management approach could potentially be at conflict with conserving some of these plants since they were tended by Native Americans and their populations are sustained through maintenance and harvest. We recommend that BLM reconsider some of the management approaches for this ACEC under the Preferred Alternative.

2.14 Travel Management

Pages 2-70 to 2-73

We recommend that additional detail be added into this section of Chapter 2. Each of the alternative descriptions should also include an acre breakdown as presented in the

35-19 Executive Summary on page ES-8. With this information added to the RMP/EIS the reviewer can see how many acres are open to Off Highway Vehicle (OHV) use, how many acres where OHV use is limited to existing roads and trails, and how many acres will be closed to OHV use.

Page 2-72, Preferred Alternative (and Page ES-8, Travel Management)

We note that under the Preferred Alternative that 1,208,670 acres of the land base would have OHV use limited to existing roads and trails, and that about 11,994 acres would be closed to OHV use. This means that on about 99 percent of the land base vehicles would be limited to existing roads and trails and that on about 1 percent of the land base OHV use would not be allowed. While it is an improvement that OHV use would be limited to existing roads and trails over most of the Surprise BLM land base we still have some concerns about allowing 99 percent of the land base in this category as described by the Preferred Alternative. Our concerns relate to BLM's limited budget to monitor and provide law enforcement patrols over this large of an area. What we expect is that many OHV's will continue to travel cross-country in violation of the BLM policy. In light of

35-20 this, we recommend BLM reconsider this approach and that BLM consider closing some additional portions of the Surprise land base to OHV travel. We suggest that the following areas should receive additional consideration for OHV closures: 1) areas that provide habitat for federally listed species, proposed species , and candidate species; 2) ACEC's established to benefit biological resources (wildlife, fish, plants) or that contribute significantly to the conservation of these biological resources; 3) areas within 2 miles of sage-grouse leks in the Vya and Massacre sage-grouse PMU's; 4) areas that provide habitat for BLM Special Status Species where their populations are impacted by OHV use. This list is not intended to be all inclusive but rather provided as an indication of the types of concerns we have with regard to OHV use.

Section 2.15 Utilities, Transportation, and Telecommunications

Page 2-75, 2.15.9 Preferred Alternative

We recommend that the Preferred Alternative for this program area include some stipulations with regard to possible future development of electric utility lines and telecommunication towers. The first suggested addition is that "All future electric utility

35-21 line developments would follow the guidance provided by the Avian Protection Plan (APP) Guidelines released in 2005." (This guidance was developed jointly by the U.S. Fish and Wildlife Service and the electric utility industry working through the Avian Power Line Interaction Committee. It is available online at http://www.aplic.org).

35-22 Another stipulation we suggest be added to the Preferred Alternative is that "future BLM communication site developments would be consistent with the U.S. Fish and Wildlife Service's *Guidance on the Siting, Construction, Operation and Decommissioning of Communications Towers* to minimize effects to migratory birds."

2.25 Wildlife and Fisheries

Page 2-107 and 2-108, Section 2.23.1 Legislative, Regulatory, and Policy Direction

35-23 On page 2-108 under "the following are other pertinent documents" what MOU does the first bulleted item in the list refer to? Is this the MOU for interagency programmatic consultation? We suggest that the text be revised to clarify what MOU this refers to.

35-24 Also on page 2-108 we suggest BLM consider adding the following conservation plans to the list :

-North American Waterfowl Management Plan
-United States Shorebird Conservation Plan

35-24

-North American Waterbird Conservation Plan
-Partners in Flight North American Landbird Conservation Plan
-Intermountain West Regional Shorebird Plan Version 1.0
-Intermountain West Waterbird Conservation Plan
-Coordinated Implementation Plan for Bird Conservation in Nevada by the Nevada Steering Committee of the Intermountain West Joint Venture
-Nevada Partners In Flight Bird Conservation Plan (1999)

35-25

Regarding the reference to the Nevada Bat Conservation Plan 2002. This Plan was recently finalized and a revised 2006 version is now complete. This version is available on the Nevada Natural Heritage Program webpage. The 2006 version of the Nevada Bat Conservation Plan is the version that should cited on page 2-108 and it is the version that should be cited in Chapter 3 where the RMP/EIS provides discussions for individual bat species.

35-26

Finally rather than having one generic bullet on page 2-108 that refers to "local, state, and national guidelines for managing sage-grouse and their habitats" we recommend that these plans be listed individually by name. This would be useful to those not familiar with sage-grouse.

35-27

Pages 2-109 and 2-110, Cowhead Lake Tui Chub
Our Klamath Falls Office expects to have more information on this species in the near future. They will be passing this on to BLM for future management of this species.

35-28

Page 2-110, Bald Eagle
Based on input from our Klamath Falls Office we expect nesting bald eagles to inhabit lands managed by the Surprise Field Office in the near future. Therefore, we recommend that BLM develop best management practices/ mitigation measures for how BLM operations/actions will proceed in areas suitable for bald eagle nesting, roosting, or foraging and include them in this RMP/EIS.

35-29

Page 2-110, Carson Wandering Skipper
Please clarify whether or not BLM has done survey work for the Carson wandering skipper. A bulleted item on page 2-110 states "continue survey efforts" but then on page 2-109, under the 3.4 Species Information header, it states that "no surveys have been conducted and the presence of this species is unknown." The text of the RMP/EIS should be changed to reconcile the differences in these two statements.

35-30

Page 2-111, 4.4 Species Information
Under this header there is a reference to burrowing owls being addressed in the sagebrush-obligate wildlife section of the RMP/EIS. We understand why BLM might choose to include this species with the sagebrush species discussion but it is not a sagebrush-obligate species, and this distinction should be made somewhere in the text of the Draft RMP/EIS. Burrowing owls require open areas with mammal burrow systems (U.S. Fish and Wildlife Service Bio. Tech Report BTP-R6001-2003; published in 2003)

35-30 and the fact that they use areas of sagebrush should not be interpreted as meaning that they are sagebrush obligates.

Page 2-116, 8.5 Management Common to All Alternatives

35-31 Regarding the statement about management of native and non-native fish, we recommend that BLM actively manage for native fish only.

Page 2-197, 5.3 Objective

35-32 Pygmy rabbit habitat needs are not necessarily the same as those for sage-grouse and hence management for the two species is not likely to be the same in many cases. For example, burning to restore sagebrush steppe mosaic conditions for sage-grouse can be detrimental to pygmy rabbit. The Draft RMP/EIS should recognize this and sufficient flexibility should be build into the RMP to allow for different management needs for the pygmy rabbit. We suggest that the RMP text in this section may need some revisions here to incorporate these concerns.

Page 2-119, Preferred Alternatives

35-33 We recommend that a provision be added to this Alternative that subject to funding and staffing constraints BLM will promote watchable wildlife opportunities, and develop interpretive guides/programs/sites, for the Surprise Field Office land base, where it is appropriate. We suggest that promoting watchable wildlife opportunities is one of the best ways to foster appreciation and support for public lands and associated wildlife.

Chapter 3, Affected Environment

Page 3-77, 1.8 Riparian/Wetland Communities

35-34 On page 3-77 the text indicates that over 10,000 acres of riparian-wetland were assessed for Proper Functioning Condition and that 79 percent of these were Functional-at-Risk. However, in Chapter 4 we could not locate an account of proposed BLM actions with regard to these riparian-wetland areas that are Functional-at-Risk. Given that such a high percentage were assessed as Functional-at-Risk it would be useful to know how BLM proposed management actions will improve conditions of these areas.

Page 3-81, 3.15.4 Special Status Plants

35-35 In the last paragraph on page 3-81 there is a reference to Table 3.15-2 which is supposed to provide information on Special Status Species. However, the Table labeled as 3.15-2 provided in the RMP/EIS (which occurs on page 3-83) is a table of information on known noxious weeds for the Surprise Field Office, not a table of special status plant species. We suspect that the table for Special Status Species did not get included in the Draft RMP/EIS and needs to be added in. References to plant tables in this section then need to be adjusted so that the text references to the tables match the table labels/numbers.

Page 3-81, 3.15.4 Special Status Plants

35-36 The species list we sent the Surprise Field Office for RMP/EIS development included the slender moonwort. Yet in the Draft RMP/EIS there is no discussion of this species relative to the Surprise Field Office land base. Since this species could occur on the Surprise land base (most likely in Zone 4- High Elevation Mountain Brush and Timber

35-36 described in the RMP on pages 3-80 and 3-81), and BLM proposes some management actions in areas where the species could occur, we recommend that BLM include a discussion of this species in the RMP/EIS and assess the impacts of proposed management actions on it.

Pages 3-98 to 3-119, Wildlife and Fisheries

35-37 The discussion in the RMP/EIS for species is brief and focused on listed species, Special Status Species, and prominent game species. Consider adding in additional discussions covering other wildlife and fish species not discussed in the Draft RMP. To make these inclusions reasonable in length they could be lumped into categories like waterfowl, migratory birds, reptiles, amphibians, etc. We suggest including a discussion of the full range of wildlife and fish species that occur on the Surprise Field Office land base even if coverage is only brief.

Page 3-100, Curlleaf Mountain Mahogany

35-38 In the first paragraph at the top of 3-100 there appears to be a spelling error. In the second sentence we suspect the word "fairy" should be replaced with the word "fairly".

Page 3-104 and 3-105, Pygmy Rabbit

35-39 We suggest some edits to this section on pygmy rabbit. First the genus for this species is *Brachylagus* not Sylvilagus so this change should be made in the first sentence on page 3-163. Next we suggest you insert the following sentence immediately after the first

35-40 sentence under this header, " On May 20, 2005 the U.S. Fish and Wildlife Service published a non-substantial 90-day finding in the Federal Register which means the petitioners did not provide substantial information to demonstrate that listing the species was appropriate at this time." Also at the top of page 3-105 in the second paragraph we

35-41 recommend that the first two sentences be dropped (starting with "Over the past several decades, populations of the pygmy rabbit" and continuing through to "agricultural and managed grasslands").

Page 3-105, Warner Sucker

35-42 In the first paragraph for the sentence that reads "Warner sucker are found in streams and lakes that feed to or are located in the Warner Valley, Oregon." The streams feed into the Warner Valley, but the Lakes are located in Warner Valley (what the streams feed into). It may be clearer to state that they are found in the streams that feed the lakes within the Warner Valley Oregon. Cowhead Lake might be considered an exception, (i.e. a lake that feeds into the valley, but technically it is not the lake that feeds to the Valley, it is Twelvemile Creek). The one specimen found within the allotment was not, to our knowledge in Cowhead Lake, and was likely sampled in a stream.

35-43 Also, in the second paragraph under this header the RMP/EIS indicates that management to reduce impacts to Warner sucker is referred to as "mitigation management." We question whether it is truly mitigation management. Usually mitigation is prescribed when there is an impact and mitigation is used to make up for that impact. In conducting the Endangered Species Act Section 7 consultations we would consult on the impacting action itself, and then consult on the mitigation as a separate action. That has not been the

35-43 case with Warner sucker which are affected by the Nevada Cowhead and North Cowhead Allotments. Rather, the management prescriptions have been designed to reduce or avoid impact to the riparian areas, therefore mitigation would not be needed. We recommend that the text be revised to address our concern.

Page 3-105 and 3-106, Cowhead Lake Tui Chub

35-44 Our Klamath Falls Office is looking at this species to determine its status. We recommend that BLM consider opportunities to enhance habitat for the species and include these in the RMP/EIS.

Page 3-109, Greater Sage-Grouse

35-45 There is no discussion of the Population Management Unit Plans (PMU) for the Vya or Massacre PMU's in this section. We suggest BLM add in an appropriate discussion of these two PMU plans including major components and outcomes from these Plans. Are these two PMU plans complete? If so, it should be stated in this section.

Pages 3-110 and 3-111, various bat species descriptions

35-46 For several of the bat species descriptions in the text on these species reference is made to the Nevada Bat Working Group 2002. The Nevada Bat Conservation Plan was recently finalized and released to the public as a revised plan in 2006. This is the latest version of the Plan and the one that should be cited in these bat species descriptions.

Page 3-114, 3.19.6 Native and Nonnative Fish and Aquatic Species

35-47 We recommend that BLM manage for native fish species where there is a conflict between native and non-native species.

35-48 In the last paragraph at the bottom of page 3-114 the RMP refers to a Table 3.19-3 but this table is not provided in Chapter 3. This table should be added into Chapter 3 in this section of the RMP/EIS.

Section 4.0, Environmental Consequences

Pages 4-226 through 4-246, Potential Effects on Wildlife and Fisheries

35-49 The effects of implementing the proposed RMP/EIS that are presented in this section are very general. There is little data presented anywhere in the RMP/EIS to support many of the conclusions reached by BLM even when the conclusions seem reasonable. BLM should consider acquiring additional supporting documentation and incorporating it into the RMP/EIS. We are not suggesting that BLM spend time and resources collecting any new information on wildlife and fish populations. There is other existing information on wildlife and fish species present in the Eagle Lake Field Office administrative boundaries that could be acquired and used to predict outcomes of implementing the RMP. This would include information from the Nevada Department of Wildlife, California Department of Fish and Game, Nevada Natural Heritage Program, the Great Basin Bird Observatory's Nevada Bird Count Program and Nevada Breeding Bird Atlas, the U.S. Geological Survey- Biological Resource Discipline Breeding Bird Survey website, and potentially other sources such as the University of Nevada-Reno.

35-50 Another thing lacking in the effects portion of the RMP/EIS is predicted outcomes for species, species groups, or guilds. Nothing is presented to indicate if BLM thinks that implementing the Preferred Alternative, as presented in the Draft RMP/EIS, will cause wildlife and fish populations to increase, decrease, or stay the same over the lifespan of the RMP/EIS. At a minimum, this should be done for each federally listed species and perhaps for all the BLM Special Status Species as these species are among the wildlife populations presently at the greatest risk.

35-51 Another thing BLM should reconsider is the manner in which the RMP/EIS currently presents outcomes for all the various programs such as livestock grazing, mining, transportation, etc. The way the text is currently organized, these expected outcomes for wildlife and fisheries are not presented distinctly by program area.

35-52 In addition the discussion of effects on wildlife and fisheries seems somewhat biased towards positive effects that will result from activities such as restoration and vegetation management compared to the negative impacts to wildlife and fisheries that could result from grazing, oil and gas development, mining, and OHV use. We suggest that this discussion be revised to be more balanced for both types of effects.

35-53 Regarding the cumulative effects portion of the environmental consequences section, the Draft RMP/EIS does not present a complete analysis for the worst case scenario for wildlife and fisheries populations given the Preferred Alternative and what it presently allows. What if some area, or several areas, of the Surprise BLM land base receive heavy OHV use, maximum grazing pressure, a gold mine, a new utility corridor, oil and gas development, and new road construction all in the same approximate timeframe? What would the outcome of this be for wildlife and fish populations in this area, or areas? Alternatively, what would be best case scenario be for wildlife and fish populations with implementation of the Preferred Alternative? It is appropriate to include this as well in your analysis. At present, the cumulative effects discussion in Chapter 4 for wildlife and fisheries is lacking a discussion of what the combined effects of all the possible actions BLM may undertake or authorize over the lifespan of the RMP would be on biological resources.

35-54 Finally, we have one other suggestion for BLM to consider with regard to the Draft RMP/EIS. We recommend that BLM develop and include an Appendix that summarizes by program (ie. livestock grazing, mining, fluid mineral development, transportation, etc.) the best management practices or conservation measures BLM intends to apply to wildlife and fish species to minimize the effects of all the development actions that will be allowed under the Preferred Alternative. Summarizing this information in one place by program and species would better allow reviewers to understand how these actions can be implemented while at the same time minimizing the associated impacts of development on fish and wildlife.

California Regional Water Quality Control Board
Lahontan Region

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Arnold Schwarzenegger
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Eagle Lake RMP Comments
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REVIEW OF BUREAU OF LAND MANAGEMENT (BLM) RESOURCE MANAGEMENT PLAN (RMP) AND ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR THE EAGLE LAKE, ALTURAS, AND SURPRISE FIELD OFFICES

Note: I will restrict my comments primarily to those regarding grazing and its impacts on the environment.

Vol. 2, A-14 & 15 Standard 3 Water Quality – just a reminder that the Water Quality Objectives for the California Regional Water Quality Control Board, Region, can be accessed on our web site at:

http://www.waterboards.ca.gov/lahontan/BPlan/BPlan_Index.htm

Key water quality objectives related to monitoring of grazing-related impacts include:

Bacteria, Coliform
Waters shall not contain concentrations of coliform organisms attributable to anthropogenic sources, including human and livestock wastes.
The fecal coliform concentration during any 30-day period shall not exceed a log mean of 20/100 ml, nor shall more than 10 percent of all samples collected during any 30-day period exceed 40/100 ml. *The log mean shall ideally be based on a minimum of not less than five samples collected as evenly spaced as practicable during any 30-day period. However, a log mean concentration exceeding 20/100 ml for any 30-day period shall indicate violation of this objective even if fewer than five samples were collected.*

Biostimulatory Substances
Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect the water for beneficial uses.

36-1

Priorities include: (1) 303(d)-listed waterbodies; (2) endangered species; and (3) sensitive areas – riparian and wetland areas. However, no plans are outlined for BMP implementation or other corrective actions for these waters. For example, if a waterbody is 303(d)-listed for pathogens or nutrients, what is the formal process to verify the impairment and/or correct the problem?

36-2 Extensive experience monitoring livestock impacts from cattle to surface water quality has shown that livestock, especially cattle, must be excluded from surface waters if fecal coliform standards are to be met. It is suggested that exclusion fencing be utilized extensively around surface waters, and that off-stream watering facilities be developed, rather than allowing direct access.

36-3 Sheep require different management—location of the base camp is more important. Sensitive areas should be excluded from grazing by locating the base camps at least ¼ mile from these areas, and herding to avoid. Watering of sheep directly in surface waters is not as problematic as with cattle because they tend to avoid water and have minimal impacts on water quality and stream environment zones so long as forage utilization therein is limited to within standards.

36-4 Appendix 2, A-25-37 The sentence with "National" Resource Conservation Service is incorrect (A-37). It should read Natural Resource Conservation Service.

36-5 The Section is generally good, but what sort of monitoring program will be used to verify compliance with State water quality standards? No monitoring program, protocol, or concrete process for developing monitoring plans is given.

36-6 Also, a number of waters are listed as being in violation of State standards, yet no formal mechanism is in place to notify the Regional Board when monitoring results show that standards have been violated.

36-7 Essential fecal coliform data from the AMS was not included in the report, but should be. For example, data of fecal coliform for the Susan River at Hobo Camp suggests that it is an impaired waterbody for pathogens.

36-6 The BLM relies primarily on the Water Quality Control Board to identify impaired waters or high probability of impaired water (page A-36). However, if BLM is sampling these waters and Lahontan staff does not receive the data, how is Lahontan staff to determine if waters are impaired or not? There clearly needs to be a formal process for sharing of monitoring data. Perhaps this may be addressed in the Statewide MAA that is being developed by BLM management and the State Water Resources Control Board. We should make every effort to ensure that it is. In any case, BLM staff and Lahontan staff should meet soon to work out the details of cooperative data collection and sharing.

Sincerely,

Bruce T. Warden, Ph.D.
Environmental Scientist